

AGENDA FOR THE COMMITTEE OF THE WHOLE AND REGULAR SESSION
MONDAY, NOVEMBER 24th, 2014 7: 00 PM
PRESIDING: THE HONORABLE MAYOR JOSEPH R. PETERSON
CHAIRPERSON OF THE EVENING: THE HONORABLE LAWRENCE STEC

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

UNFINISHED BUSINESS:

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

PERSONS IN THE AUDIENCE:

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

1. Communication from Mayor Peterson submitting an appointment to the Cultural & Historical Commission.
2. Communication from the City Engineer regarding the purchase of property within the City of Wyandotte.
3. Communication from the City Engineer regarding 3247 Biddle Avenue (former Austin Hyde Park/Damon's Restaurant) determination that property is blighted.)
4. Communication from the City Attorney relative to the adoption of the 2012 Mechanical Code.

CITIZENS PARTICIPATION:

HEARINGS:

SHOW CAUSE HEARING
FOR 446 PINE

FIRST READING OF AN ORDINANCE:

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

REPORTS AND MINUTES:

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

Unfinished Business Show cause Hearing 222 Antoine

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

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 24, 2014

AGENDA ITEM # 1

ITEM: Appointment to the Cultural & Historical Commission

PRESENTER: Mayor Joseph R. Peterson



INDIVIDUALS IN ATTENDANCE: Mayor Joseph R. Peterson

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

STRATEGIC PLAN/GOALS: n/a

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

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: n/a

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: November 24, 2014

RESOLUTION by Councilperson _____

RESOLVED by the City Council that Council hereby ACCEPTS the resignation of David Kostelnik from the Cultural & Historical Commission and thanks Mr. Kostelnik for his service; and

BE IT FURTHER RESOLVED the City Council that Council hereby CONCURS with the recommendation of Mayor Peterson to appoint Jesse Rose of 1775 4th St., Wyandotte, MI 48192 to the Cultural & Historical Commission. Term to expire December 2018.

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	_____

COMMISSIONER RESUME/ APPLICATION FORM

Print Form

NAME Jesse Rose AGE 34
ADDRESS 1775 4th St. PHONE 734-444-9802

RESIDENT OF WYANDOTTE FOR 14 YEARS.

SPOUSE'S NAME NA

CHILDREN'S NAME AND AGE NA

EMPLOYMENT: COMPANY NAME Kaplan Test Prep PHONE 800-528-8378

YOUR TITLE Hiring Support Specialist YEARS OF SERVICE 7

EDUCATION:

ELEMENTARY SCHOOL Garfield Elementary, Wyandotte, MI

HIGH SCHOOL Theodore Roosevelt High School, Wyandotte, MI

COLLEGE University of Michigan - Dearborn

WHICH COMMISSION(S) ARE YOU INTERESTED IN SERVING ON?

Cultural and Historical Commission

LIST ANY SPECIAL LICENSES OR CERTIFICATES YOU MAY HAVE THAT WOULD HELP YOU IN THIS POSITION.

N/A

LIST ANY ASSOCIATION(S) YOU MAY BE AFFILIATED WITH:

The Henry Ford (historical presenter); Wyandotte Historical Society; Wyandotte Museums

HOBBIES: Reading, Writing, television, trivia, walking

COMMENTS: I have been a volunteer for the museums, Historical Society, and special events office for two years now and have come to enjoy all my time spent walking around our great city as well as helping others to experience what has made Wyandotte so wonderful and important for over 150 years. I feel I would be a great addition to this position.

DATE SUBMITTED: 9/12/14

SIGNATURE



CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 24, 2014

AGENDA ITEM #

②

ITEM: City Purchasing 603 Lincoln, Wyandotte

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski, 11-17-14

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

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

Lot Size: 90' x 100.85'	Demolition Cost Estimated at: \$6,000.00
2014 SEV: \$32,200	Market Value: \$72,400.00
2013 Taxes: \$1,884.63	

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

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

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

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

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

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

S. Snydale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

OK [Signature]

LIST OF ATTACHMENTS: Purchase Agreement and Map

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

William R. Look
 Steven R. Makowski

Richard W. Look
 (1912-1993)

OFFER TO PURCHASE REAL ESTATE

I, THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the Wyandotte County, Michigan, described as follows:
 { City
 Township of
 Village
Wayne
 Lots 79 and 80 Ford Manor Subdivision as recorded in Liber 38, Page 45 Wayne County Records

being known as 603 Lincoln 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 Twenty-Five Thousand (\$25,000.00) 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: 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 city 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.
<i>Time of Closing</i>	3. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the parties agree to complete the sale upon notification that Purchaser 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/ 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 he 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 or obtain title insurance. If the Seller remedies the title or shall obtain such title commitment within the time specified, 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	<p>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.</p> <p>8. It is understood that this offer is irrevocable for fifteen (15) days from the date hereof, and if not accepted by the Seller within that time, the deposit shall be returned forthwith to the Purchaser. If the offer is accepted by the Seller, the Purchaser agrees to complete the purchase of said property within the time indicated in Paragraph 3.</p>
Broker's Authorization	<p>9. The seller is hereby authorized to accept this offer and the deposit of <u>0</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.</p>

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 _____ . 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: 1. Contingent upon City Council approval, 2. Seller agrees not to enter into any third party agreements including with any telecommunications companies wishing to install equipment on said property prior to closing

City of Wyandotte:

IN PRESENCE OF: _____ L. S.
JOSEPH R. PETERSON, Mayor Purchaser
 _____ L. S.
WILLIAM R. GRIGGS, Clerk Purchaser
 _____ Address _____
 _____ Phone: _____

BROKER'S ACKNOWLEDGMENT OF DEPOSIT

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

Address _____ Broker
 Phone _____ By: _____
 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.

IN PRESENCE OF: _____ L. S.
Craig L. Cundiff Seller
 _____ L. S.
 _____ Seller
 Address 13601 S. Emory City Rd.
Mussey Twp. MI 48014
 Phone 810-395-8445

Dated: 11-04-14

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

**CITY OF WYANDOTTE
ENGINEERING DEPARTMENT**

✳ ACQUISITION ANALYSIS TOOL

A. Property Information

Address: 603 Lincoln
 City: Wyandotte Zip: 48192 Parcel ID # 57-004-02-0079-00
 County: Wayne Neighborhood:
 TIFA/DDA/HUD: TIFA

B. Property Type, Condition and Characteristics

Property Type: Condition: Blighted
 Existing/Prior Use: Residential Lot Size: 90' x 100.85'
 Year Built: 1918
 Occupancy: Vacant Zoning: Residential
 Master Plan:
 Comply with existing Building Code:
 Other Amenities &/or Concerns: single family

C. Property Ownership

Ownership Type: Privately-owned
 Owner Name: Craig Cundiff
 Occupied or Vacant: occupied

D. Environmental

Environmental Assessment Required
 Estimated Cost \$ -

E. Cost Analysis Requirements

SEV	Taxable	Market Value	Taxes Paid	Purchase Price	Demolition Cost
\$32,200	\$72,400	\$72,400	\$1,885	\$ 25,000.00	6,000.00

F. Anticipated End Use

Future Use: Sell for the construct on a single family dwelling.

	Future SEV	Future Taxable	Future Market Value	Future Taxes	NEZ Future Taxes
	\$69,000	\$69,000	\$138,000	\$3,653	no

Benefit to Neighborhood: removing blight from the neighborhood
 If Property is not being demolished assigned to:
 Add to City Insurance Policy

G. ACQUISITION

Purchase Agreement:	Amount
	\$ 25,000.00
Demolition Cost	\$ 6,000.00
Environmental	\$ -
Total	\$ 31,000.00

H. APPROVALS

City Engineer: *Mark A. Kowalewski*
 Signature: Mark A. Kowalewski City Engineer
 Print Name: Title
 City Administrator: *Todd A. Drysdale*
 Signature: Todd A. Drysdale City Administrator
 Print Name: Title



MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: November 24, 2014

RESOLUTION by Councilperson _____

RESOLVED BY THE CITY COUNCIL that Council concurs with the recommendation of the City Engineer to acquire the property at 603 Lincoln in the amount of \$25,000.00 to be appropriated from TIFA Area Funds; AND

BE IT RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the Purchase Agreement; AND

BE IT RESOLVED that William R. Look, City Attorney is authorized to execute closing documents for the purchase of said property on behalf of the Mayor and City Clerk; AND

BE IT FURTHER RESOLVED that the City Engineer is directed to demolish same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

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 24, 2014

AGENDA ITEM # 3

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

PRESENTER: Mark A. Kowalewski, City Engineer



INDIVIDUALS IN ATTENDANCE:

BACKGROUND:

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

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

STRATEGIC PLAN/GOALS: This action is consistent with the Goals and Objectives identified in the City of Wyandotte's Strategic Plan 2010-2015 that identifies a commitment to: (1) downtown revitalization and an economic development strategy that emphasizes commercial expansion in the area; and (2) fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas.

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

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: N/A

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: 

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

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

ATTACHMENT 1

BROWNFIELD REDEVELOPMENT FINANCING ACT
Act 381 of 1996

AN ACT to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2003, Act 259, Imd. Eff. Jan. 5, 2004.

The People of the State of Michigan enact:

125.2651 Short title.

Sec. 1. This act shall be known and may be cited as the "brownfield redevelopment financing act".

History: 1996, Act 381, Eff. Sept. 16, 1996.

Compiler's note: For transfer of powers and duties of department of environmental quality to department of natural resources and environment, see E.R.O. No. 2009-31, compiled at MCL 324.99919.

125.2652 Definitions.

Sec. 2. As used in this act:

(a) "Additional response activities" means response activities identified as part of a brownfield plan that are in addition to baseline environmental assessment activities and due care activities for an eligible property.

(b) "Authority" means a brownfield redevelopment authority created under this act.

(c) "Baseline environmental assessment" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(d) "Baseline environmental assessment activities" means those response activities identified as part of a brownfield plan that are necessary to complete a baseline environmental assessment for an eligible property in the brownfield plan.

(e) "Blighted" means property that meets any of the following criteria as determined by the governing body:

~~(i) Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.~~

~~(ii) Is an attractive nuisance to children because of physical condition, use, or occupancy.~~

~~(iii) Is a fire hazard or is otherwise dangerous to the safety of persons or property.~~

~~(iv) Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.~~

~~(v) Is tax reverted property owned by a qualified local governmental unit, by a county, or by this state. The sale, lease, or transfer of tax reverted property by a qualified local governmental unit, county, or this state after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.~~

~~(vi) Is property owned or under the control of a land bank fast track authority, whether or not located within a qualified local governmental unit. Property included within a brownfield plan prior to the date it meets the requirements of this subdivision to be eligible property shall be considered to become eligible property as of the date the property is determined to have been or becomes qualified as, or is combined with, other eligible property. The sale, lease, or transfer of the property by a land bank fast track authority after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.~~

~~(vii) Has substantial subsurface demolition debris buried on site so that the property is unfit for its intended use.~~

~~(f) "Board" means the governing body of an authority.~~

(g) "Brownfield plan" means a plan that meets the requirements of section 13 and is adopted under section 14.

(h) "Captured taxable value" means the amount in 1 year by which the current taxable value of an eligible property subject to a brownfield plan, including the taxable value or assessed value, as appropriate, of the property for which specific taxes are paid in lieu of property taxes, exceeds the initial taxable value of that eligible property. The state tax commission shall prescribe the method for calculating captured taxable value.

ATTACHMENT 2

SUMMARY OF SUBSURFACE SOIL CONDITIONS AT
3247/3249 BIDDLE AVENUE - WYANDOTTE, MICHIGAN

July 15, 2014

The purpose of this report is to address the requirement of the Michigan Strategic Fund (MSF) that a licensed Professional Engineer (P.E.) document that soil conditions on the subject property are such that specialty subsurface construction methods will be required to provide adequate structural support for future site foundations, floor slabs, and pavements. The requirement is outlined in the document: "MSF Brownfield Non-Environmental Activities Guidance" dated August 2013 (see <http://www.michiganbusiness.org/cm/Files/Brownfields/MSF-Non-Environmental-Eligible-Activities-Guidance-Revised-August2013.pdf>). This report summarizes existing information prepared by two licensed professional engineers.

On November 16, 2011, Testing Engineers & Consultants completed a Geotechnical Investigation for the subject property (see Enclosure 1 for a full copy). The purpose of the Investigation was to obtain information necessary to determine basic engineering properties of soils at the site through a series of test borings and laboratory tests, and provide general recommendations for site development preparations, foundation requirements, and other geotechnical information. Two (2) test borings were completed to a depth of 15 feet below existing ground surface, and four (4) test pits to a depth of approximately 4 feet. Copies of boring logs are provided in the Appendix of the report provided in Enclosure 1.

Borings and subsurface conditions are summarized in the table below:

Boring	Depth	Fill Depth	Notes
1	15'0"	7'0"	Loose coal and cinders, sand & clay
2	15'0"	8'0"	Loose coal and cinders, sand & clay
TP1	1'6"	5'+	Fill down to at least foundation depths
TP2	3'	5'+	"
TP3	3'	5'+	"
TP4	3'	5'+	"

Notes: (1) "TP" is used to designate Test Pit excavations.

Maximum fill depth encountered during the subsurface investigation was 8'.

Based upon the investigation, it was determined that the foundations of the building on site at the time of the investigation were 4-5 feet below the existing floor slab, and were bearing on loose to very loose sand fill and possibly on fill consisting of crushed coal and cinders. Due to variability of the fill and lack of proper compaction, it was determined that the fill soils weren't suitable to support the previous existing building and the added load of a proposed second story addition, and that the foundations to support the two-story structure would need to bear on competent native soils. It was

originally believed that this could be accomplished by underpinning the foundations down to the firm clay found at depths of 12 feet and 9.5 feet at Boring Nos. 1 and 2, respectively, with the underpinning system being driven minipiles or helical piers/anchors. The investigation recommended that the *“helical piers be kept as high as possible within the firm clay...because the soils in Wyandotte become softer and weaker with depth.”* The report recommended performing additional deeper borings to characterize the deeper soils since their borings only extended to a depth of 15 feet. It was further determined that a pier spacing of approximately 3 feet would be acceptable, but could be less or more, subject to a determination of the actual wall load per lineal foot by the project architect. (The report also recommended the removal of a minimum of 2 feet of the existing fill and that it be replaced with compacted engineered fill.)

Since the time of the investigation in November 2011, additional, limited soil borings deeper than 15 feet have been performed as recommended and it has been determined that the helical piers will have to extend to a depth of 30-55 feet, and possibly as deep as 70 feet in some locations. The actual depth and detailed foundation plan for the helical piers will be determined at a later date as additional soil engineering services are performed. A draft “Helical Pier Foundation Plan” from a licensed Professional Engineer (P.E.) is provided in Enclosure 2.

In addition to the information provided in the enclosed Geotechnical Investigation and summarized above, it should be noted that the property was previously part of the “Eureka Iron & Steel Works” from approximately the 1860s to 1892. Generally, it’s believed that fill and debris on the site is from its previous use as part of the Steel Works and its demolition in approximately 1904. For reference, a copy of the 1890 Sanborn Map is provided as Enclosure 3. The map shows that the Subject Property was previously part of a much larger parcel where a significant number of structures previously existed and were demolished many decades ago. For additional reference, a copy of a Sanborn Map from 1929 is provided as Enclosure 4. This map shows that the Subject Property contained two different buildings: (1) a freight house for the Detroit United Railway (an electric streetcar/trolley system), with the demolition date unknown; and (2) a garage for vehicle repairs, which is the generally the same building demolished on this site in 2012 (except for additions and improvements added over the years).

While the subsurface investigations have not been exhaustive, based on the geotechnical investigation and the site’s past historical use as part of the Steel Works, it is known that subsurface demolition debris, construction debris, below-grade structures, and fill soils are present on the property.

For the purposes of the Brownfield Plan, reasonable assumptions have been made regarding the anticipated number and depth of helical piers, based on the depth of fill soil and other unsuitable material, and the possible need to remove fill soil and unsuitable and unstable material to support future site development activities (it may, however, be possible to leave the fill material on site depending on the final plans for helical piers and the foundation).

If necessary to remove some of the fill soil and unsuitable material, it will require excavation, hauling offsite, and disposal from the property. The following unstable soil conditions may need to be removed and disposed to support future site development and construction:

- Fill soil and unsuitable material below the future building floor slab.
- Fill soil and unsuitable material below the future building footings.
- Fill soil and unsuitable material below future pavements.
- Fill soil and unsuitable material within future utility corridors.

Where fill soils and other unsuitable materials are removed, it will be necessary to proof roll the site prior to import and placement of engineered fill soils. Granular soils approved by a licensed engineer will be imported to the site, placed and compacted, and tested to verify proper compaction.

These activities are above and beyond what would be required for a typical greenfield site.

If you have questions regarding the information contained in this summary, please do not hesitate to call.

Sincerely,



Joseph M. Vozatka
SMOOTH Development, LLC
3166 Van Alstyne Street
Wyandotte, Michigan 48192
Phone: 734-301-1282
E-mail: jmvozatka@smoothdevelopment.com

Enclosures (4)

Enclosure 1

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Brown-Schroeder & Company, Inc.
4321 Delemere Court
Royal Oak, MI 52009

GEOTECHNICAL INVESTIGATION

FOR

Reconstruction & Addition To Existing Building
3249 Biddle Avenue
Wyandotte, Michigan

TEC Report: 52009

By:

Testing Engineers & Consultants, Inc.
1343 Rochester Road
P.O. Box 249
Troy, Michigan 48099-0249
(248) 588-6200

November 16, 2011



Testing Engineers & Consultants, Inc.

1343 Rochester Road • PO Box 249 • Troy, Michigan 48099-0249
(248) 588-6200 or (313) T-E-S-T-I-N-G
Fax (248) 588-6232

TEC Report: 52009
Date Issued: November 16, 2011

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
4321 Defemere Court
Royal Oak, MI 52009

Re: Geotechnical Investigation for
Reconstruction & Addition To Existing Building
3249 Biddle Avenue
Wyandotte, Michigan

Dear Mr. Abrahamson:

Please find enclosed the results of a geotechnical investigation performed at the above referenced site. This geotechnical report presents our field and laboratory results; engineering analysis; and our recommendations for design of foundation and slabs and our evaluation of existing foundation soils, as well as important construction considerations.

As you may know, Testing Engineers & Consultants, Inc. (TEC) has more than forty five years of experience in Quality Control Testing and Construction Inspection. We would be pleased to provide any of these services on this project.

Should you have any questions regarding this report, please let us know. It has been a pleasure to be of service to you.

Respectfully submitted,

TESTING ENGINEERS & CONSULTANTS, INC.

Carey J. Suhan, P.E.,
Vice President, Geotechnical
& Environmental Services

CJS/ln
Enclosure

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CONSULTING ENGINEERS & FULL-SERVICE PROFESSIONAL TESTING AND INSPECTION
OFFICES IN ANN ARBOR, DETROIT, AND TROY
FOUNDED IN 1966

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APPENDIX

TEST BORING LOCATION PLAN

LOGS OF TEST BORINGS

GENERAL NOTES FOR SOIL CLASSIFICATION

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

1.0 INTRODUCTION

This report presents the results of a geotechnical investigation for the proposed additions to the existing building at 3249 Biddle Avenue in Wyandotte, Michigan. Authorization to perform this investigation was given by Mr. Kevin M. Schroeder through a signed copy of TEC Proposal No. 060-11-0226A on October 26, 2011.

The purpose of this investigation was to obtain information necessary to determine basic engineering properties of soils at the site through a series of test borings and laboratory tests performed on the soil samples obtained during the field investigation. This information has been evaluated to provide the general recommendations for site development preparations, foundation requirements and other geotechnical information.

The project consists of the reconstruction of an existing single story building and construction of a second floor addition. The building has a footprint area of approximately 8500 square feet. In addition, a portion of the south end of the building will be expanded several feet to the south and will be supported on new foundations. The purpose of the investigation is to provide foundation recommendations for the new addition to the south and to determine if the underlying soils and existing foundations are capable of supporting the second floor addition. The architect, Kriger Klatt Architects, Inc. will evaluate the foundations based on our findings.

2.0 FIELD INVESTIGATION

Two test borings were drilled on the site at the locations shown on the Test Boring Location Plan. Originally three borings were scheduled to be drilled but due to permit requirements by the City of Wyandotte and Wayne County to perform work on public property the borings were limited to the south side of the building on private property. The locations are accurate to within a short distance of the locations shown on the plan. The test borings were drilled on November 2, 2011 with truck-mounted auger equipment to a depth of 15 feet.

Drilling methods and standard penetration tests were performed in general accordance with the current ASTM D-1452 and D-1586 procedures, respectively. These procedures specify that a standard 2-inch O.D. split-barrel sampler be driven by a 140-pound hammer with a free fall of 30 inches. The number of hammer blows required to drive the split-barrel sampler through three successive 6-inch increments is recorded on the Test Boring Log. The first 6-inch increment is used for setting the sampler firmly in the soil and the sum of the hammer blows for the second and third increments is referred to as the "Standard Penetration Index" (N). N values were obtained with an automatic trip hammer.

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

2.0 FIELD INVESTIGATION (Cont'd)

From the standard penetration test a soil sample is recovered in the liner sampler tubes that are located inside the split-barrel sampler. Upon recovery of a soil sample, the liner tubes are removed from the split-barrel sampler and placed in a container which is sealed to minimize moisture losses during transportation to the laboratory. Standard penetration tests are usually made at depths of 2 ½, 5, 7 ½ and 10 feet and at 5-foot depth intervals thereafter. These parameters may vary for a given project depending on the nature of the subsoils and the geotechnical information required.

In addition, four test pits were excavated by Brown-Schroeder & Company, Inc. adjacent to each of the interior walls of the existing building. The test pits were excavated to the depth of the existing foundations to determine the size of the foundations.

3.0 LABORATORY TESTING

The laboratory testing consisted of determining the unconfined compressive strength, the natural bulk density and the natural moisture content of the soil samples recovered in the liner sampler tubes. In the unconfined compression tests, the compressive strength of the soil is determined by axially loading a soil sample until failure is observed or 15% strain, whichever occurs first. The above referenced test data are recorded on the boring logs. Some test results may deviate from the norm because of variations in texture, imperfect samples, presence of pebbles and/or sand streaks, etc. The results are still reported although they may not be relevant.

In addition to the above standard tests, Atterberg Limits tests were performed on one cohesive soil sample to obtain estimates of cohesive soil behavior. The results are shown on Boring No. 1 in the appendix.

Samples taken in the field are retained in our laboratory for 60 days and are then destroyed unless special disposition is requested by the client. Samples retained over a long period of time are subject to moisture loss and are then no longer representative of the conditions initially encountered.

4.0 GENERAL SUBSURFACE CONDITIONS

4.1 Subsoil Conditions

The soil conditions encountered in the borings are presented on the individual boring logs. Each log presents the soil types encountered at that location as well as laboratory test data, ground water data.

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

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4.1 Subsoil Conditions (Cont'd)

and other pertinent information. Descriptions of the various soil consistencies, relative densities and particle sizes are given in the Appendix. Definitions of the terms and symbols utilized in this report may be found in ASTM D-653.

Boring No. 1 was drilled in asphalt pavement and Boring No. 2 was drilled in concrete pavement. The asphalt pavement was 3 inches thick and the concrete pavement was 3 ½ inches thick. The asphalt pavement was underlain by 4 inches of crushed stone followed by loose black crushed coal and cinders. This fill extended to a depth of 4 feet below existing pavement surface and was underlain by additional fill consisting of loose sand and clayey sand fill that extended to a depth of 7 feet. The concrete pavement at Boring No. 2 was underlain by medium compact clayey sand and crushed stone fill that extended to a depth of 2 feet. Additional fill consisting of loose black crushed coal and cinders extended to a depth of 5 ½ feet. A trace of brick and clay layers were encountered in the fill. Below this fill was additional fill consisting of very loose sand with some crushed concrete and cinders. The sand fill had an oily sheen and extended to a depth of 8 feet.

The underlying native soil was plastic to firm clay that extended to the terminal depth of the borings. The clay changed from a plastic consistency to a firm consistency (more stiff) at depths of 12 feet at Boring No. 1 and 9 ½ feet at Boring No. 2. Atterberg Limits tests performed on a sample of the plastic clay indicated the clay is medium plastic.

Standard penetration values range from 4 to 16 blows per foot with unconfined compressive strengths of 3870 to 7330 pounds per square foot (psf). Bulk densities range from 48 to 137 pounds per cubic foot with moisture contents of 11 to 29 percent of the dry weight of the soil. The low densities are typical for fill consisting of crushed coal and cinders with minimal soil content.

4.2 Ground Water Observations

Water level readings were taken in the bore holes during and after the completion of drilling. These observations are noted on the respective Test Boring Logs. Ground water was encountered during drilling at a depth of 4 feet at Boring No. 1 and at a depth of 5 ½ feet at Boring No. 2. After completion of drilling and removal of the augers water was noted at a depth of 12 feet at Boring No. 1 and at a depth of 5'2" at Boring No. 2.

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

5.0 ANALYSIS AND RECOMMENDATIONS

5.1 Ground Water Conditions

The position of water levels found in test borings may vary somewhat depending on seasonal precipitation. At the level encountered in the borings, it will present some problems for design or construction of foundations and utilities. The water encountered in the borings appears to be water perched in the wet sand fill and native clayey sand that overlies impermeable clay. New foundations will extend below the perched ground water elevation. The ground water must be lowered by pumping from properly prepared sumps or by draining directly to the storm sewers. The dewatering should begin prior to commencement of excavation.

5.2 Recommended Earthwork Operations

Within the limits of areas within the building expansion to the south, the pavement should be removed prior to the site being graded. Underlying fill consisting of crushed coal and cinders was encountered. This fill is quite deep extending to depths of 4 feet at Boring No. 1 and 5 ½ feet at Boring No.2. Additional fill consisting of loose to very loose sand and clayey sand was below the crushed coal and cinder fill. Generally these types of fill should be removed under floor slabs due to their low support value and settlement potential. If the cost to remove the unsuitable fill is prohibitive, another option could be considered. To minimize settlement of the fill under the slab loads, we recommended that a minimum of 2 feet of the existing fill below the pavement be removed and replaced with compacted engineered fill as outlined below. However, some more than normal settlement is still to be expected. Because the loose crushed coal and cinders will be difficult to compact to achieve proper density, we recommend that the first layer of new fill (not to exceed 12 inches) consist of 1 to 3 inch size crushed concrete or stone. This first layer of crushed fill should be rolled until stable. The crushed concrete or stone should be capped with MDOT 21AA aggregate to close the void spaces. The balance of the fill could be a clean sand meeting MDOT Class II specifications.

Prior to placing engineered fill, the areas of new construction should be proofrolled with a heavily loaded rubber tired vehicle to identify any soft or yielding areas. Soft spots can be stabilized with crushed stone or concrete.

A black oily sheen was noted in the very loose sand fill between depths of 5 ½ to 8 feet at Boring No. 2. The oily sheen is believed to be some form of petroleum contamination within the ground water and/or soil. It is recommended that this issue be further investigated since it could be a concern for soil disposal, worker safety and owner liability.

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

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5.2 Recommended Earthwork Operations (Cont'd)

Engineered backfill required for construction excavations or fill required to achieve desired grades should preferably consist of clean and well graded granular soils. Fill should be placed in uniform layers not more than 9 inches in thickness with the soils in each layer compacted to a minimum of 95% of the maximum density as determined by ASTM D-1557. Fill should be at approximately the optimum moisture content during placement and compaction. Furthermore, frozen material must not be used as fill and fill should not be placed on frozen ground.

Since the soils are predominantly loose fill soils, lateral support structure or side sloping with a minimum 1 ½H:1V ratio will be required for the anticipated excavations. Soils exposed in the bases of all satisfactory foundation excavations should be protected against any detrimental change in conditions such as from disturbances, rain or freezing. Surface run-off water should be drained away from the excavations and not be allowed to pond. If possible, all footing concrete should be placed the same day the excavation is made. If this is not possible, the footing excavations should be adequately protected.

5.3 Foundation Soils Evaluation

Four test pits were excavated by Brown-Schroeder & Company, Inc. along the inside of all the exterior walls. Due to the small size of the test pits and debris encountered at the bottom of the test pits, removal of soils directly below the footings could not be performed. However the depth of the footings adjacent to the test pits could be measured. Results of our measurements are shown below.

Test Pit No. 1

Test Pit No. 1 was located along the interior side of the south exterior wall approximately 13 feet west of the east exterior wall. Sixteen inches of block wall was noted below the floor slab. The concrete stem wall below the block extend 18 inches below the block wall. The concrete stem wall was supported on a spread footing that extended 4 inches out from the wall. The footing was measured to be at least 13 ½ inches thick where it was blocked by debris.

Test Pit No. 2

Test Pit No. 2 was located along the interior side of the east exterior wall approximately 32 feet north of the south exterior wall. Seven inches of brick wall was noted below the floor slab. The concrete stem wall below the brick extended 29 inches below the brick wall. There was a small lip at this depth and the stem wall continued down another 3 ½ inches. The concrete stem wall was supported on a spread footing that extended 1 ½ inches out from the wall. The footing was measured to be at least 7 inches thick where it was blocked by debris.

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

5.3 Foundation Soils Evaluation (Cont'd)

Test Pit No. 3

Test Pit No. 3 was located along the interior side of the north wall approximately 33 feet east of the west exterior wall. It is not known if the north wall is a common wall with the neighboring unit or if there are two separate walls. Three inches of brick wall was noted below the floor slab. The concrete stem wall below the brick extended 37 inches below the brick wall. The concrete stem wall was supported on a spread footing that extended 3 ½ inches out from the wall. The footing was measured to be at least 15 inches thick where it was blocked by debris.

Test Pit No. 4

Test Pit No. 4 was located along the interior side of the west exterior wall approximately 18 feet south of the north wall. Approximately 7 ¾ inches of block wall was noted below the floor slab. The concrete stem wall below the block extended 39 inches below the block wall. The footing supporting the wall could not be measured for thickness due to the debris at the bottom of the test pit.

At the determined foundation depths of 4 to 5 feet below the existing floor slab, the foundations are bearing on loose to very loose sand fill and may possibly bear on fill consisting of crushed coal and cinders that is underlain by plastic clay that was encountered in the borings at depths of 7 and 8 feet. Fill was noted in the test pits down to at least foundation depth. Due to the variability of the fill and lack of proper compaction, the fill soils are not suitable to support building foundations. With the added load of a second story addition, foundations supporting the two story structure will need to bear on competent native soils. This would be accomplished by underpinning the foundations down to the firm clay found at depths of 12 feet and 9.5 feet at Boring Nos. 1 and 2, respectively. The underpinning system could be driven minipiles or helical anchors. We would recommend helical piers bearing on the firm clay encountered at 9 ½ to 12 feet. The piers should be kept as high as possible within the firm clay, since in our experience the soils in Wyandotte become softer and weaker with depth. An additional deeper boring should be performed to characterize the deeper soils since the borings only extended to 15 foot depth. Preferably deeper borings should be drilled to confirm the deeper soil conditions.

It is estimated that helical piers with a double helix of 12 inch diameter and 14 inch diameter would achieve a net allowable capacity of 8,000 pounds. The pier capacity is based upon a factor of safety of 3. Based on an estimated wall load of 2600 pounds per lineal foot (plf), the pier spacing would be 3 feet. The 2600 plf is an estimated load based on the building elevation including the proposed second story addition. Actual loads should be determined by the project architect to determine if the spacing should be less or more. Helical pier capacity should be confirmed in the field with torque correlations.

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

5.3 Foundation Soils Evaluation (Cont'd)

For new foundations in the area of the south side expansion, the footings should be deep enough to bear on original soil below the fill. Plastic clay was encountered at depths of 7 and 8 feet in the two borings. Foundations bearing on the plastic clay can be designed for a maximum net allowable bearing pressure of 2000 psf. If the foundations are extended deeper to bear on the firm clay, found at depths of 9 ½ and 12 feet in the borings, the foundations can be designed for a maximum net allowable bearing pressure of 3000 psf.

If helical piers are used for underpinning the existing building it is likely most expedient and economical to support the new building addition on helical piers as well. The same capacity can be used to estimate the spacing and grade beam requirements.

From a review of the borings and assumptions made about the lower lying soils a seismic site class of D is recommended for design. It is assumed that the lower lying soils below the bottom of the borings have an average N value between 15 and 50 and shear strengths between 1000 psf and 2000 psf. This appears to be a reasonable assumption from general geology of the area. This is based off of the Michigan Building Code, which incorporates the 2006 edition of the International Building Code.

5.4 Floor Slabs

The subgrade resulting from the site preparation, as outlined in the recommended earthwork operations section, will provide a fair to good subgrade for support of new floor slabs. As outlined in the Recommended Earthwork Operations section, it was recommended that a minimum of 2 feet of the existing fill be removed and replaced with compacted engineered fill. The first 12 inch lift of fill should consist of 1 to 3 inch crushed concrete or stone capped with 21AA crushed aggregate. The upper lifts of engineered fill should be MDOT Class II sand.

6.0 DESIGN REVIEW AND FIELD MONITORING

The evaluations and recommendations presented in this report relative to site preparation and building foundations have been formulated on the basis of assumed and provided data relating to the location, type and finished grades for the proposed structure and adjacent areas. Any significant change in this data should be brought to our attention for review and evaluation with respect to the prevailing subsoil conditions.

Testing Engineers & Consultants, Inc.

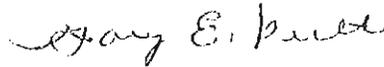
Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

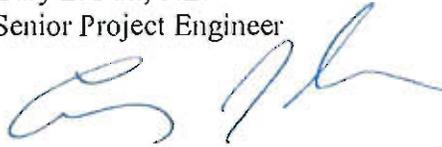
6.0 DESIGN REVIEW AND FIELD MONITORING (Cont'd)

When the building and foundation plans are finalized, a consultation should be arranged with us for a review to verify that the evaluations and recommendations have been properly interpreted.

Soil conditions at the site could vary from those generalized on the basis of test borings made at specific locations. It is therefore recommended that Testing Engineers & Consultants, Inc. be retained to provide soil engineering services during the site preparation, excavation and foundation phases of the proposed project. This is to observe compliance with the design concepts, specifications and recommendations. Also, this provides opportunity for design changes to be made in the event that subsurface conditions differ from those anticipated prior to the start of construction.



Gary E. Putt, P.E.
Senior Project Engineer



Carcy J. Suhan, P.E.
Vice President, Geotechnical
& Environmental Services

GEP/CJS/ln

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APPENDIX

Test Boring Location Plan

Logs Of Test Borings

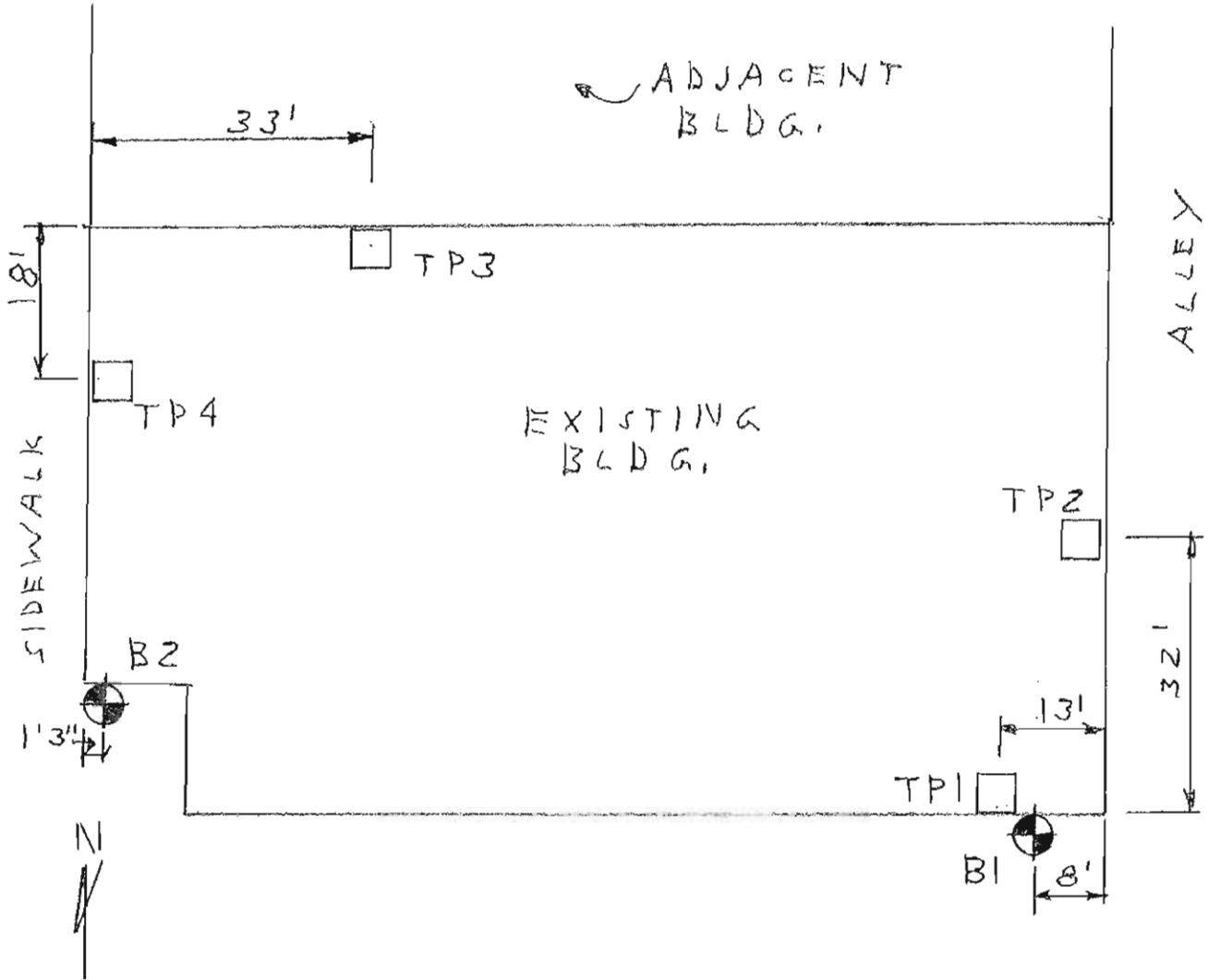
General Notes For Soil Classification



Testing Engineers & Consultants, Inc.

1343 Rochester Road • PO Box 249 • Troy, Michigan 48099-0249
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Fax (248) 588-6232

PROJECT: RECONSTRUCTION & ADDITION TO EXIST. BLDG.	PROJECT NO. 52609	PAGE 1 OF 1
	BY: G. PUTT	CHECKED:
SUBJECT: 3249 BIDDLE, WYANDOTTE	DATE: 11/17/11	DATE:



TEST BORING AND TEST PIT LOCATION PLAN



Testing Engineers & Consultants, Inc.

1343 Rochester Road - PO Box 249 - Troy, Michigan - 48099-0249
 (248) 588-6200 or (313) T-E-S-T-I-N-G
 Fax (248) 588-6232

Boring No.: 1	Job No.: 52009	Project: Reconstruction & Addition To Existing Building, 3249 Biddle Avenue
Client: Nick Abramhamson c/o Brown-Schroeder & Company, Inc.		Location: Wyandotte, Michigan
Type of Rig: Truck		Drilled By: I. Mickle
Drilling Method: Solid Stem Augers		Started: 11/2/2011
Ground Surface Elevation:		Completed: 11/2/2011

Depth (ft)	Sample Type	N	Strata Change	Soil Classification	w	d	qu
			.25				
			.58	ASPHALT (3")	29.1	48	
2.5	LS	5 4 6		Crushed Stone-FILL (4")			
			4	Loose Moist Black Crushed Coal & Cinder-FILL	19.3	120	
5.0	LS	3 4 5		Loose Wet Brown Very Fine Sand-FILL			
			5.5				
			7	Loose Wet Black Clayey Sand-FILL	12.9	103	
7.5	LS	2 2 2		Plastic Moist Variegated CLAY With Some Silt			
					28.5	116	7330
10.0	LS	3 3 3		LL=39 PL=13 PI=26			
			12	Firm Moist Gray Oxidized CLAY With Some Silt			
12.5					15.0	139	3870
15.0	LS	3 5 6	15	Bottom of Borehole at 15'			
17.5							
20.0							
22.5							

N - Standard Penetration Resistance
 SS - 2" O.C. Split Spoon Sample
 LS - Sectional Linear Sample
 ST - Shelby Tube Sample
 AS - Auger Sample

w - H₂O, % of dry weight
 d - Bulk Density, pcf
 qu - Unconfined Compression, psf
 DP - Direct Push

Water Encountered: 4'0"

At Completion: 12'0"

Boring No. 1



Testing Engineers & Consultants, Inc.

1343 Rochester Road - PO Box 249 - Troy, Michigan - 48099-0249
 (248) 688-6200 or (313) T-E-S-T-I-N-G
 Fax (248) 688-6232

Boring No.: 2	Job No.: 52009	Project: Reconstruction & Addition To Existing Building, 3249 Biddle Avenue
Client: Nick Abramhamson c/o Brown-Schroeder & Company, Inc.		Location: Wyandotte, Michigan
Type of Rig: Truck		Drilled By: I. Mickle
Drilling Method: Solid Stem Augers		Started: 11/2/2011
Ground Surface Elevation:		Completed: 11/2/2011

Depth (ft)	Sample Type	N	Strata Change	Soil Classification	w	d	qu
			.29	CONCRETE (3 1/2")			
2.5	LS	8 11 5	2	Medium Compact Moist Brown Clayey Sand & Crushed Stone-FILL	10.9	67	
5.0	LS	4 4 4	5.5	Loose Moist Black Crushed Coal & Cinder With Trace Of Brick & Clay Layers-FILL	22.0	66	
7.5	LS	2 2 2	8	Very Loose Wet Black Oily Sand With Some Crushed Concrete & Cinder-FILL	15.5	97	
10.0	LS	2 2 5	9.5	Plastic Moist Variegated CLAY With Some Silt	20.0	129	4610
12.5				Firm Moist Variegated CLAY With Some Silt			
15.0	LS	4 5 5	15	Bottom of Borehole at 15'	13.7	137	4860
17.5							
20.0							
22.5							

N - Standard Penetration Resistance
 SS - 2" I.D. Split Spoon Sample
 LS - Sectional Liner Sample
 ST - Shelby Tube Sample
 AS - Auger Sample

w - H₂O, % of dry weight
 d - Bulk Density, pcf
 qu - Unconfined Compression, psf
 DP - Direct Push

Water Encountered: 5'6"

At Completion: 5'2"

Boring No. 2

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

SOIL DESCRIPTIONS

In order to provide uniformity throughout our projects, the following nomenclature has been adopted to describe soil characteristics:

CONSISTENCY AND RELATIVE DENSITY

COHESIVE SOILS		GRANULAR SOILS	
<u>"N"</u> <u>VALUES</u>	<u>CONSISTENCY</u>	<u>"N"</u> <u>VALUES</u>	<u>RELATIVE</u> <u>DENSITY</u>
0 – 2	Very Soft	0 – 4	Very Loose
2 – 4	Soft	4 – 10	Loose
4 – 8	Plastic	10 – 30	Med. Compact
8 – 15	Firm	30 – 50	Compact
15 – 30	Stiff	50+	Dense
30 – 60	Ex. Stiff		
60+	Hard		

Material Types By Particle Size

BOULDERS

COBBLES

GRAVEL

COARSE SAND

MEDIUM SAND

ASTM D2487

Stones Over 12" In Diameter

Stones 3" To 12" In Diameter

#4 To 3" Diameter

#10 To #4 Sieves

#40 To #10 Sieves

Testing Engineers & Consultants, Inc.

Mr. Nick Abrahamson
c/o Mr. Kevin M. Schroeder
Brown-Schroeder & Company, Inc.
November 16, 2011

TEC Report: 52009

SOIL DESCRIPTIONS (Cont'd)

Material Types By Particle Size

FINE SAND

ASTM D2487

#200 To #40 Sieves

SILT

Minus #200 Sieve Material,
Fairly Non-Plastic, Falls Below
"A"-Line

CLAY

Minus #200 Sieve Material Plastic
Material That Has A Tendency To
Stick Together, Can Be Rolled
Into Fine Rods When Moistened;
Falls Above "A"-Line

PEAT

Black Organic Material
Containing Partially Decayed
Vegetable Matter

MARL

Fresh Water Deposits Of Calcium
Carbonate, Often Containing
Percentages Of Peat, Clay
& Fine Sand

SWAMP BOTTOM DEPOSITS

Mixtures Of Peat, Marl,
Vegetation & Fine Sand
Containing Large Amounts Of
Decayable Organic Material

Enclosure 2

Subject: Helical Pier Plan

Date: Wednesday, May 14, 2014 at 2:03:20 PM Eastern Daylight Time

From: Nick DiClaudio (sent by <dccipres@gmail.com>)

To: Joe Voszatka

Joe,

Call with any questions

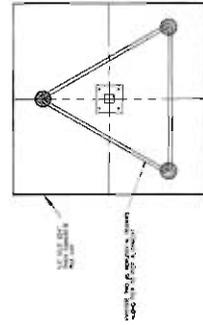
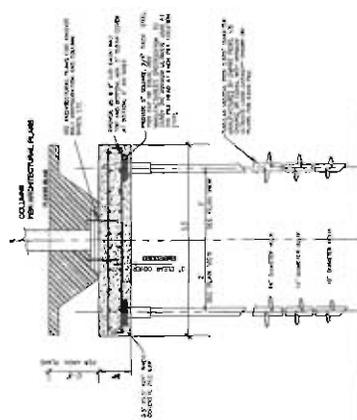
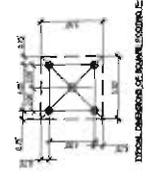
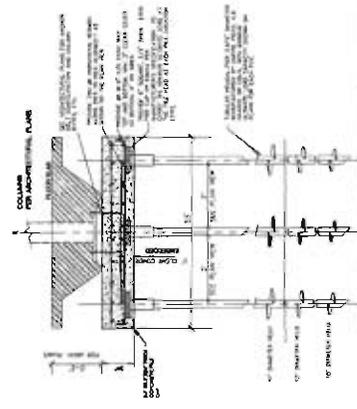
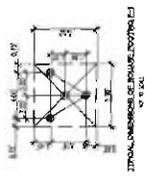
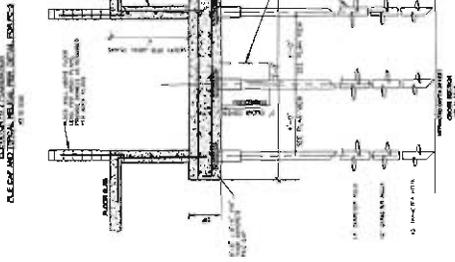
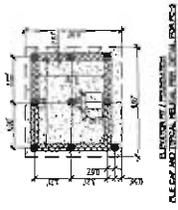
Thank You,

Nick DiClaudio
President

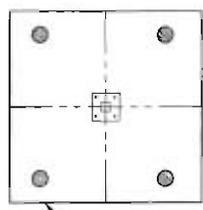
DiClaudio Construction
3645 West Road
Trenton, MI 48183

Cell 734-231-1900
Office 734-675-2850
Fax2email 734-328-6030

nick@diclaudio.biz
www.diclaudio.biz



RELATED COLUMN ELEVATION
 SEE CAP AND TYPICAL SECTION FOR DETAILS



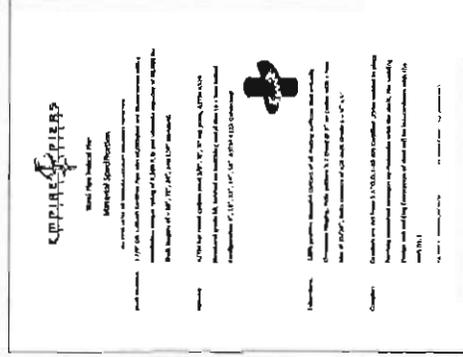
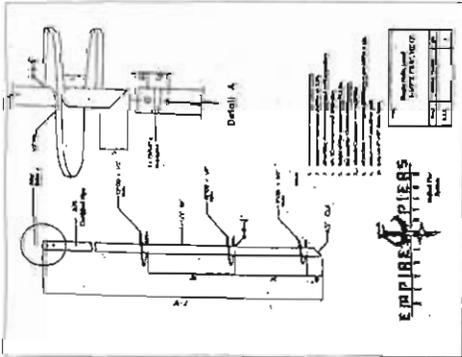
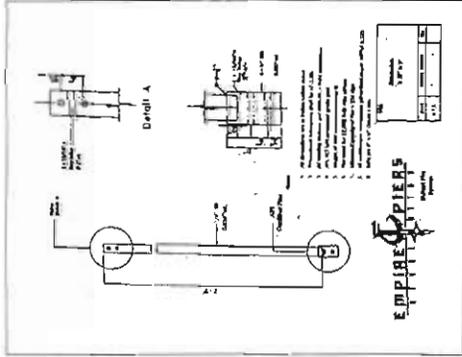
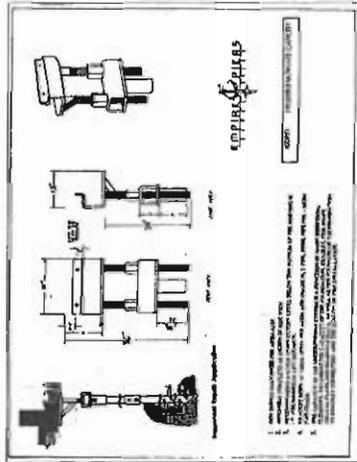
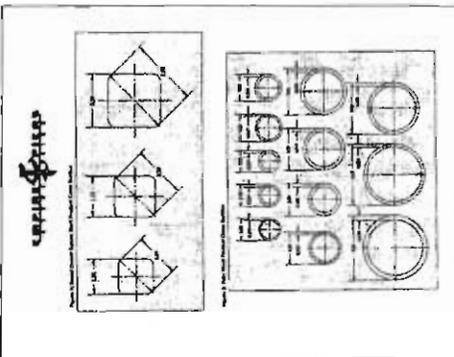
RELATED COLUMN ELEVATION
 SEE CAP AND TYPICAL SECTION FOR DETAILS

PILE CAP SCHEDULE
 Provide minimum 25 #pg bars at the ends of all bottom bars.
 Provide 10 #pg bars from 4000 psi concrete, at 20 #pg.
 PROVIDE ALL PILE CAP TOP REINFORCEMENT AND STRUCTURAL PLANS.

PILE CAP	P-1	P-2
NUMBER OF PILES	4	4
SPACING	12' 0" O.C.	12' 0" O.C.
PILE TYPE	18" Ø CIP CON	18" Ø CIP CON
PILE LENGTH	18' 0" O.C.	18' 0" O.C.
PILE CAP TYPE	1	1

DRAFT

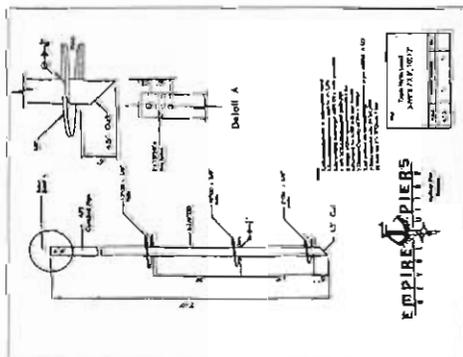
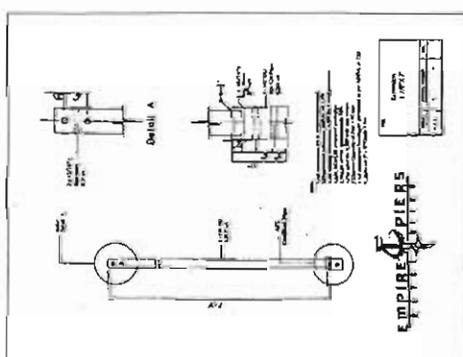
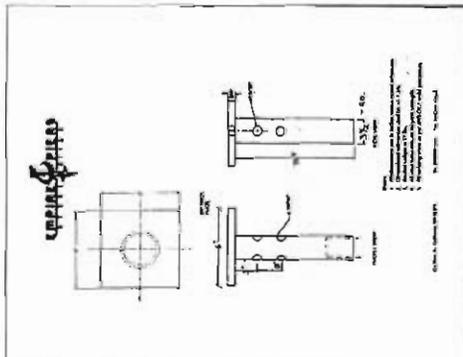




EMPIRE PIERS

Product Details

Item No.	Description	Quantity	Unit
1	1" x 12" x 12" Pier	1	Pier
2	1" x 12" x 12" Pier	1	Pier
3	1" x 12" x 12" Pier	1	Pier
4	1" x 12" x 12" Pier	1	Pier
5	1" x 12" x 12" Pier	1	Pier
6	1" x 12" x 12" Pier	1	Pier
7	1" x 12" x 12" Pier	1	Pier
8	1" x 12" x 12" Pier	1	Pier
9	1" x 12" x 12" Pier	1	Pier
10	1" x 12" x 12" Pier	1	Pier



DRAWN

EMPIRE PIER PRODUCT DETAILS



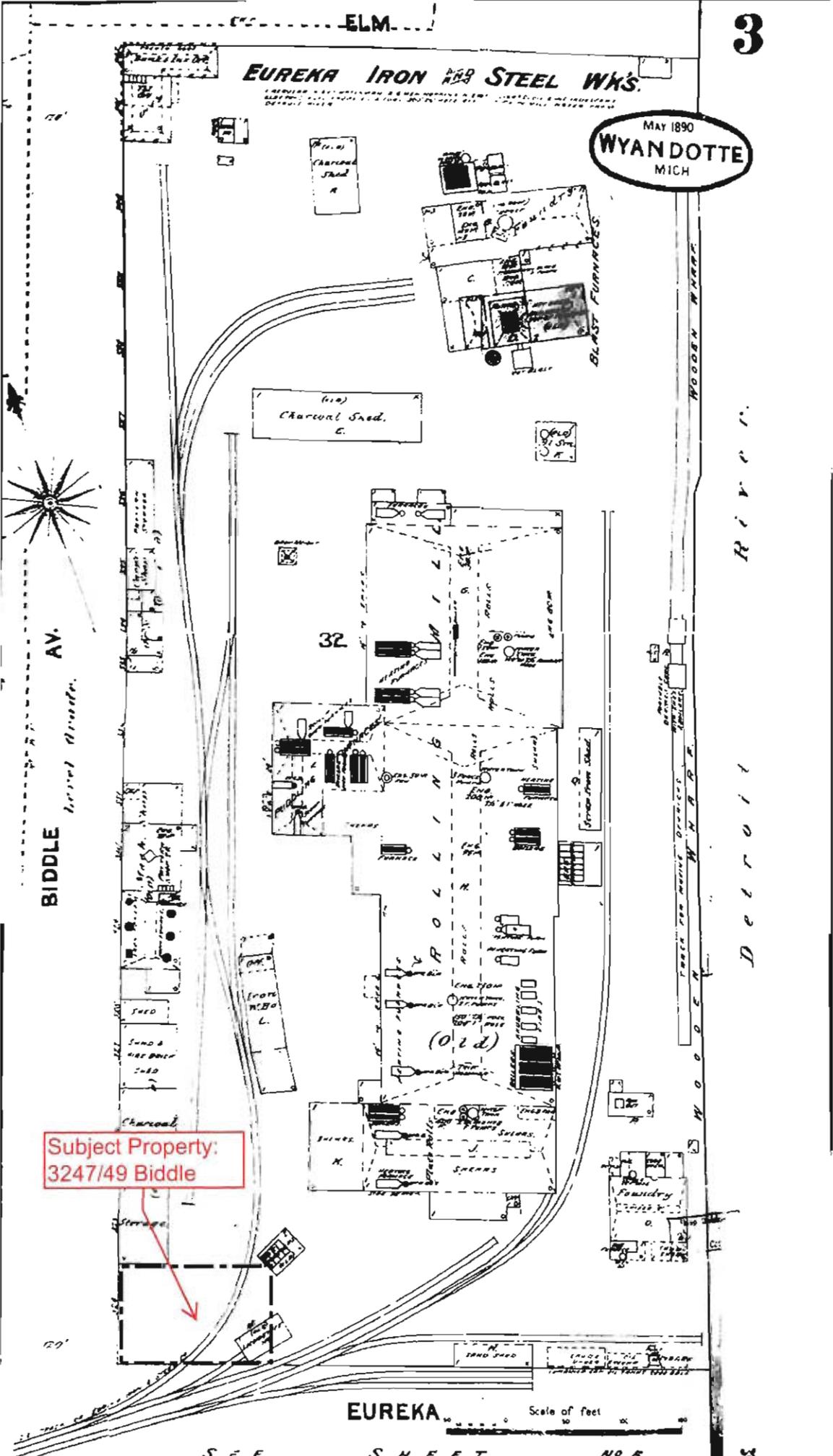
Enclosure 3

ELM.

EUREKA IRON & STEEL WKS.

ESTABLISHED 1870
MAY 1890
WYANDOTTE MICH

MAY 1890
WYANDOTTE
MICH



Subject Property:
3247/49 Biddle

EUREKA

Scale of feet

Enclosure 4

RESOLUTION:

RESOLUTION DETERMINING THAT A PROPERTY IS BLIGHTED

Wyandotte, Michigan

Dated: _____, 2014

RESOLUTION BY COUNCILPERSON _____

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

RESOLVED BY THE CITY COUNCIL that the communication from the City Engineer regarding the proposed development by GLPMR, LLC, at 3247/3249 Biddle Avenue, Wyandotte, Michigan, is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that the City Council, based on the City Engineer’s communication and the “Summary of Subsurface Soil Conditions at 3247/3249 Biddle Avenue, Wyandotte, MI,” dated July 15, 2014, hereby determines that the property at 3247/3249 Biddle Avenue, Wyandotte, Michigan, has substantial subsurface demolition debris buried on site so that the property is unfit for its intended use, and is therefore blighted property as defined in Section 2(e)(vii) of the Brownfield Redevelopment Financing Act, Act 381 of 1996, as amended.

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	_____

ABSENT _____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

④

MEETING DATE: November 24, 2014

AGENDA ITEM #

ITEM: Adoption of the 2012 Mechanical Code

PRESENTER: William R. Look, City Attorney

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: City Engineer requested adoption of 2012 Mechanical Code.

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: First reading of 2012 Mechanical Code

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

IMPLEMENTATION PLAN:

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

William R. Look

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

First 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 MECHANICAL CODE

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Adoption by Reference of the 2012 Edition of the Michigan Mechanical Code:

The City of Wyandotte adopts by reference the 2012 Edition Michigan Mechanical Code including Appendix A and Appendix B as set forth below.

Appendix B Fee Schedule

The following are the required fees for the work described below:

	<u>Dollars</u>
Base Fee Residential	50.00
Base Fee Commercial	50.00
New Construction Rough	50.00
 <u>Gas Burning Equipment</u>	
Under 400,000 BTU's	42.00
Over 400,000 BTU's	80.00
Pre-Fab Fireplace (Wood or Gas) w/chimney	88.00
Chimney Liner w/furnace	30.00
Chimney Liner	35.00
B-Vent w/Furnace (Metal)	30.00
B-Vent	40.00
<u>Radiant Tube Heaters (Each)</u>	40.00
Each additional in the same building	10.00
<u>Infra Red Heaters (Each)</u>	40.00
Each additional in the same building	10.00
<u>Unit Heaters (Gas)</u>	35.00
Each additional in the same building	10.00
<u>Air Conditioning Units</u>	
1-1/2 HP to 5 HP each	43.00
6 HP to 15 HP each	60.00
16 HP to 50 HP	80.00
Remote Condenser	35.00
Fan-Coil Vent w/Evaporation Coil and Duct Work	40.00
<u>Boilers w/Piping Fees</u>	
Under 200,000 BTU's	50.00
Over 500,000 BTU's	80.00

	<u>Dollars</u>
Refrigeration Equipment	
Walk-in Freezer	50.00
Walk-in Cooler	50.00
Ice Makers (Self-Contained)	35.00
<u>Coolers (Self-Contained)</u>	
Under 5 HP (Split System Each)	40.00
Over 5 HP to 50 HP (Split Systems Each)	50.00
Over 50 HP each	80.00
Air Handlers (Multi-Zoned Self Contained)	40.00
<u>Exhaust Fans (Under 1,500 CFM Each)</u>	40.00
1,500 to 10,000 CFM	50.00
Over 10,000 CFM Each	60.00
<u>Permit fee for New Duct Work or Alterations</u>	
Up to \$ 3,000	40.00
\$3,001 to \$6,999	60.00
\$7,000 to \$15,000	80.00
Over \$15,000	100.00
Make Up Air and Duct Work	95.00
Reinspection	40.00
Gas Piping w/Pressure Test (Commercial)	50.00
Hot Water Tank	30.00
Fire Suppression "Wet or Dry" Minimum Fee	50.00
Sprinkler Systems per Head	2.00
Humidifiers w/Furnace	20.00
Humidifiers w/out Furnace	30.00
Electronic Air Cleaner	10.00
Flue Damper Only	30.00
Flue Damper w/Furnace	15.00
Bath and Kitchen	10.00
Make Up Air Units	10.00
<u>Special Fees</u>	
Installation of Geothermal Well	200.00
Each bore Per Property location	75.00
All new construction plan review charge	50.00
Solar Panels (Set of 3)	40.00
Late Fee	125.00
** If a permit is not obtained before the work is started, a late fee Of \$125.00 will be charged in addition to the regular permit fee	
Registration of Contractor's License	15.00
Administration Fee	30.00

Section 2. Applicability.

The provisions of the adopted code apply to the administration and enforcement of the Michigan Mechanical Code by the City of Wyandotte together with the respective provisions of the Michigan Residential Rehabilitation and Uniform Energy Codes and all applicable laws and ordinances.

Section 3. 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 offense, 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 4. Purpose.

The purpose of this ordinance is to establish minimum regulations for mechanical systems to adequately protect the public health, safety and welfare.

Section 5. 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 6. 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

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date:

RESOLUTION by Councilperson _____

BE IT RESOLVED that the 2012 Mechanical Code is scheduled for First Reading.

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	_____

446 Pine Show
Cause

(A)

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

WYANDOTTE CITY CLERK

2014 NOV 18 A 9 45.

November 15, 2014

Mayor and City Council

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

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

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

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

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christine Kraft', with a large, sweeping flourish extending to the right.

Christine Kraft

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

446 Pine Show cause
AGENDA ITEM # **(B)**

MEETING DATE: November 24, 2014

ITEM: 446 Pine Street, Wyandotte, Michigan

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

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

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

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

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

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

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

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: *Snyder*

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: *OK*

LIST OF ATTACHMENTS: List of Interested Parties

446 Pine – List of Interested Parties – Updated November 18, 2014

Last Known Property Owners

Estate of Lillian Kraft (Deceased)
Estate of Clarence Kraft (Deceased)
446 Pine
Wyandotte, MI 48192

Children

Christine Kraft
9215 Byromar Lane
Grosse Ile, MI 48138
(No Children)

Christine Kraft
13344 Mercier
Southgate, MI 48195

Janet Kraft
28123 Weddel
Brownstown, MI 48183
(No Children)

Georgina Kraft
28469 Weddel
Brownstown, MI 48183
(No Children)

Lawrenc Kraft (Deceased)
(No Address/No Children)

Marlene Bohn (Deceased)
No Address

Marlene's Children

William Bohn
11560 Burlington
N 469
Southgate, MI 48195

Lynette Bohn
32320 Leelane
Farmington, MI 48336

Renee Herster
32864 Basset Woods Ct.
Beverly Hills, MI 48025

446 Pine – List of Interested Parties – Updated November 18, 2014

The Estate of Delores Metcalf (Deceased)
2601 Buckingham Avenue
Birmingham, MI 48009

Delores' Children

Richard Metcalf
2128 Hall St. SE
Grand Rapids, MI 49506

Charmaine M. Leblanc
2601 Buckingham Ave.
Birmingham, MI 48009

Allisa Zimmerman
27046 DeBerry Dr.
Calabasas, CA 91301

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: November 24, 2014

RESOLUTION by Councilperson _____

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

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

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

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 November 17, 2014

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

ROLL CALL

Present: Councilpersons Fricke, Sabuda, Schultz, Stec

Absent: Councilpersons Galeski, Miciura

PRESENTATION

November 13, 2014

The Honorable City Council, City of Wyandotte, 3200 Biddle Avenue – Ste. 300
Wyandotte, MI 48192

Gentlemen and Madam:

As you know, the City of Wyandotte has always strongly supported its military population and has great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the armed forces.

Many citizens of our community have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force.

Purple Heart recipient and member of the Vietnam Veterans Memorial Committee, Dave Polczynski, has spearheaded a mission to make Wyandotte the first city Downriver to be designated as a "Purple Heart City".

I am recommending that the City Council designate Wyandotte as a "Purple Heart City" to remember and recognize veterans who are recipients of the Purple Heart Medal. I thank you in advance for your support.

Sincerely,
Joseph R. Peterson, Mayor, City of Wyandotte

COMMUNICATIONS MISCELLANEOUS

November 13, 2014
Mayor Peterson & The City Council
Wyandotte, MI 48192

Subject: Legal Opinion on the 13th Pension Checks

To All:

At the October 27, 2014 City Council Meeting, Council Person Sheri Fricke requested a legal opinion in regards to changing a ratified contract relating to the 13th pension check.

At the November 10, 2014 City Council Meeting, there was a discussion that the legal opinion in regards to changing a ratified contract relating to the 13th pension check had been received.

At this same meeting the actual legal opinion was never read for our residents to hear.

Please have this opinion read at the City Council Meeting of November 17, 2014 so our residents will be ensured that the City Council is following the opinion given and will be enforced no later than the fiscal year of 2014.

Andrew Przytuła 1736 Oak Street Wyandotte, MI 48192

November 6, 2014

Mr. Todd Drysdale City of Wyandotte 3131 Biddle Street Wyandotte, MI 48192

RE: 13th Check Dear Mr. Drysdale:

Recently, the City Council approved a supplemental retirement allowance for retirees of the City, using the formula in effect for December 2013. The City Council requested a legal opinion regarding whether that allowance is required under the State Constitution or prior collective bargaining agreements with the City's unions and whether the distribution formula may be changed.

For the reasons described in this letter, it is our opinion that the City Council (as it has done in the past) has the discretion to increase, decrease or eliminate, on an annual basis, the supplemental retirement allowance to retirees. It can also change the percentage payout to individuals, provided that individuals in a same category are treated consistently (such as all police employees retiring in 2014 receive the same formula for a payout).

Background

The City operates an independent Retirement System for its retirees. Beginning in 1972, the City Council adopted an Ordinance amending the Retirement System so that existing retirees would receive an additional check in December, as a supplement to the monthly checks they were receiving. This practice was formally called the "supplemental retirement allowance" and commonly referred to as the "13th check". Similar to the tiering described in the City's current collective bargaining agreements, the 1972 Ordinance provided a higher payment formula to retirees who have been retired the longest period of time.

It is our understanding that the supplemental retirement allowance program was instituted unilaterally by the City Council in response to requests by retirees and not as a result of a negotiated demand by any of the City's unions. To our knowledge, no union has ever demanded that the supplemental retirement allowance be specifically incorporated into their collective bargaining agreement or that the City acknowledge the supplemental retirement allowance as a binding past practice. In the most recent collective bargaining agreements, the City has negotiated provisions that a scale be incorporated so that the oldest retirees receive a larger amount than the younger retirees. The language of the Police Command, Patrol and Dispatch units specifically states that the supplemental retirement allowance is at the sole discretion of the City Council. Since this is a contractual requirement, and some current employees may retire this year or next year, the 2015 supplemental retirement allowance should follow the formula in the collective bargaining agreements.

History of Supplemental Retirement Allowance Payments

The right of municipal employees to collectively bargain was established in 1969. Most of the City's labor unions were established in the early 1970's. The typical practice, at least since the late 1990's, was for the City and its unions to negotiate changes to pension provisions into the newest collective bargaining agreement. The City Council would then amend the retirement ordinance to be consistent with that new collective bargaining agreement, after ratifying that new collective bargaining agreement.

On January 24, 1972, the City Council enacted the first supplemental retirement allowance ordinance. That ordinance stated (emphasis added):

The provisions of this section shall be operative during the fiscal year if the city council:

Adopts a resolution declaring the provisions of this section in effect for the fiscal year; and

Appropriates an amount sufficient to finance the supplemental retirement allowance to be made during the fiscal year.

Subject to the preceding restrictions, each retiree or beneficiary included in one (1) of the following three (3) groups shall be eligible for a supplemental retirement allowance upon his written application filed with the retirement commission:

[remainder of the scale describes a formula for the supplement allowance].

On August 23, 1976, the Retirement Ordinance was amended to change the distribution formula scale and added employees who had retired between 1966 and (depending on the category of retirees), between 1969 to 1973 for "supplemental payment A" and 1975 for "supplemental payment B". This revised distribution formula, like the 1971 Ordinance, granted greater benefits to those retirees who had been retired longer. The provisions relating to the restrictions established by the City Council in the 1972 ordinance remained in effect.

On May 9, 1977, the Retirement Ordinance was amended to include the most recent retirees, however, the provisions relating to the restrictions established by the City Council in the 1972 ordinance remained in effect. The distribution formula did not change and still provided a greater benefit to individuals who had been retired the longest.

On March 12, 1979, the Retirement Ordinance was again amended to change the distribution formula, but again, the provisions relating to the restrictions established by the City Council in the 1972 ordinance remained in effect. Although the dollar amounts changed, the principle that those retirees who had been retired the longest received the greatest benefit.

On June 8, 1981, the Retirement Ordinance was again amended, this time to establish a formula based upon credited service. However, the Ordinance was also amended to change the procedural restrictions for the establishment of the supplemental retirement benefit allowance:

The provisions of this section shall be effective December 15, 1980, and shall be operative during a fiscal year if the (1) retirement commission adopts a resolution as of September thirtieth of each fiscal year 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 provisions of this section in effect for the fiscal year.

Subject to the preceding restrictions, to be eligible for a special supplemental retirement benefit allowance, the retiree 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.

[remainder of the scale remains unchanged].

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

These procedural restrictions have remained unchanged since the 1981 amendment. In 2005, the City Council unilaterally reduced the supplemental retirement allowance by cutting it in half. There was no challenge to this reduction by a retiree or a union. Since 2005, the supplemental retirement allowance has not been restored to its pre-2005 levels.

Analysis

1. Retirees do not have a Vested Right to a Supplemental Retirement Allowance under the Michigan Constitution.

The Michigan Constitution in Article 9, Section 24 states in relevant part:

The accrued financial benefits of each pension plan and retirement system of the state and its political subdivisions shall be a contractual obligation thereof which shall not be diminished or impaired thereby.

There is very direct and clear guidance from the courts on the meaning of this Constitutional provision. The Michigan Court of Appeals has ruled that the intention of Article 9, Section 24 was to "protect the pension benefits related to work already performed". *Ass'n of Prof' & Technical Employees v. City of Detroit*, 154 Mich. App. 440 (1986). Pension benefits, as such, accrue while the employee performs work.

In two cases with virtually the same facts, the Court of Appeals has twice ruled that supplemental pension enhancement ordinances do not serve to diminish or impair benefits but, rather, are supplementary. *Halstead v. Flint*, 127 Mich App. 148, 154 (1983); *Hannan v. Detroit City Council*, 2000 Mich App. Lexis 980 (2000). In this case, the supplemental retirement allowance is not related to work performed; it is a gratuity passed after the employee retires. *Id.* The only way a supplemental retirement allowance in any particular year could become constitutionally vested is when the Council issues an ordinance approving that allowance. Unless and until the City Council extends the supplemental retirement benefit to retirees, they have not accrued a constitutional right to a special supplemental retirement allowance. Thus, our opinion is there is no viable constitutional claim that the special supplemental retirement allowance is a vested right that cannot be altered by Council.

2. The City has Retained the Right to Exercise its Sole Discretion in Issuing The Special Supplemental Retirement Allowance.

It is our opinion that the City should prevail in any challenge claiming either a union contract and/or ordinance(s) incorporated by reference make a binding commitment of a special supplemental retirement allowance.

The subject of pension benefits and their calculation is clearly a mandatory subject of bargaining that must be negotiated to agreement or impasse. *St Clair Intermediate School Dist v. Intermediate Ed Ass'n/Michigan Ed Ass'n*, 458 Mich. 540, 550, 551 (1998). "Under the PERA, an employer commits an unfair labor practice if, before bargaining, it unilaterally alters or modifies a term or condition of employment, unless the employer has fulfilled its statutory obligation or has been freed from it." *Port Huron Ed Ass'n v. Port Huron Area School Dist*, 452 Mich. 309, 317 (1996). An employer "can fulfill its statutory duty by bargaining about a subject and memorializing resolution of that subject in the collective bargaining agreement." *Id.*, at 31718. When the parties "negotiat[e] for a provision in the collective bargaining agreement that fixes the parties' rights," they "foreclose[] further mandatory bargaining" because "the matter is 'covered by' the agreement." *Id.* at 318.

Past practice may create a term of employment despite clear and unambiguous language only when that past practice is "so widely acknowledged and mutually accepted that it creates an amendment to the contract." *Macomb County v. AFCSME Council 25 Local 411 & 893*, 494 Mich. 65 (2013) (citing *Port Huron Ed Ass'n*, supra at 312). The Supreme Court describes this as an exceedingly high burden to meet and that a party alleging such a term must present "evidence establishing the parties' affirmative intent to revise the collective bargaining agreement and establish new terms and conditions of employment." *Id.* at 82. Arbitration, not the Michigan Employment Relations Commission (MERC), is the forum to resolve whether past practice has matured to a new term or condition of employment. *Id.*

The supplemental retirement allowance is clearly and unambiguously contingent upon the City Council approving the financing to the reserve fund and adopting a resolution to put that allowance into action for the fiscal year. This

has been the case since the inception of the payments. With regard to their negotiations and collective bargaining agreements, the Unions have never demanded bargaining over the issue of entitlement to the supplemental retirement allowance, despite bargaining other elements of their pensions. Thus, the matter of pensions has been extensively bargained, and any challenge to the pension provision would be a matter of interpretation; not an unfair labor practice charge before MERC. *Port Huron Ed Ass'n*, supra, p. 317. The collective bargaining agreements only mention that pension ordinances are adopted into the agreements by reference. In the most recent agreements, the unions agreed that if the supplemental retirement allowance was approved by the sole discretion of the Commission, then the retirees would accept a payment of percentage of supplemental pay, which would allow for those who had progressed further into retirement a higher share of the payment.

Further, the supplemental retirement allowance ordinance clearly states that that allowance is to be paid only if the Retirement Commission adopts such a resolution and approves the financing of the reserve fund.

This language is clear and unambiguous that the supplemental retirement allowance would be paid only in the discretion of the City Council and Retirement Commission. Thus, to claim a contractual right to the supplemental retirement allowance, a retiree would have to show that the payment has been, "so widely acknowledged and mutually accepted that it creates an amendment to the contract," and that the parties had an affirmative intent to revise the collective bargaining agreement and establish new terms and conditions of employment. *Macomb County*, supra, p. 82.

Our opinion is that the unions or retirees could not meet that burden of proof to show that their contracts were amended by past practice to add a separate and enforceable terms that they must be paid a supplemental retirement allowance of some amount each fiscal year. Specifically, for a number of years they have allowed the contracts to be ratified without demanding that the supplemental retirement allowance be mandatory or that it even be a fixed sum. The mere fact that it has always been paid is not enough to overcome the clear and unambiguous language. They would have to produce evidence that the City had intent to make this a mandatory payment. There is to our knowledge no such evidence. If anything, there is evidence that the unions knew the payment was discretionary and, in fact, in 2005 it was reduced without any objection. Specifically, the City's unions agreed to recent contracts with language affirming the payment was within the Council's sole discretion. If they were under the impression it was mandatory, they would not have otherwise conceded that payment was discretionary.

Given the recently negotiated formula in the collective bargaining agreements, that formula should be followed in 2015, if the City Council elects to provide a supplemental retirement allowance.

Lastly, our opinion is that that an arbitrator or court interpreting the contracts, ordinances and past practice would find that these payments are completely discretionary. Thus, while we cannot guarantee that an arbitrator or court would agree with this analysis, our opinion is that the City should prevail in any challenge to the discretion of the City Council to increase, decrease or eliminate, on an annual basis, the supplemental retirement allowance to retirees.

Sincerely,
 Steven H. Schwartz
 Steven H. Schwartz & Associates, P.L.C., 31600 W. Thirteen Mile Road, Suite 125
 Farmington Hills, Michigan 48334

Honorable Mayor and City Council
 Wyandotte City Hall
 3200 Biddle Ave
 City of Wyandotte

November 3, 2014

To Whom It May Concern:

The St. Patrick's Youth Group (of St. Vincent Pallotti) would like permission to use the city parking lot located at the corner of First Street and Chestnut for a fundraising event. This event would consist of parking cars for spectators of the Christmas Parade, November 22, 2014. St. Patrick's Catholic Church parking lots will be utilized, but the group feels the additional lot would provide more income. All proceeds benefit the teens directly.

Thank you for considering this matter. Please feel free to call Andrew Kilburn at (734) 282-5882 or Fr. Michael Cremin at (734) 285-9470 for any additional information.

Sincerely
 Andrew C. Kilburn, St. Patrick's Youth Group Enclosure (1)

November 12, 2014
City of Wyandotte

Mayor and City Council
Dear Mayor Peterson and Wyandotte City Council Members,

Wyandotte Community Alliance has been working on rehabbing the house at 313 Superior. Although this project has been very challenging we have made our presence and purpose known in the neighborhood. We are well on our way to turning this old long-vacant 3 apartment house into a single family home.

In our efforts to bring this property up to code and address the items noted in the July 2014 City Inspection Report we initially established a budget of \$150,000. (A copy of our current budget is on your desk.) "The Blue Tarp House" as it was known for the past 5+ years had several areas of water damage both inside and out. We started our work by re-roofing the house and the neighbors immediately acknowledged PROGRESS! I think it is fair to say the best part of this project has been sharing electric, water, equipment, contractors, ladders and tools, and ideas with our neighbors! Our job on this level has definitely been a success.

In order to reduce restructuring costs our members filled 7 dumpsters with demo materials while our carpenter reversed and rebuilt 2 new staircases, enlarged the central hallway for handicap accessibility, put in numerous new headers, "sistered" all the crippled and sagging joists, and roughed in the rest of house to get it back to a single family structure. Please note on the copy of our budget that all this structure-code Inspection Report work (highlighted in green) represented 52% of our original \$150,000 budget.

Our next job was to shore up the basement where water was constantly pouring in thru the old brick walls and missing windows. After meetings with city inspectors and contractors we had the exterior of the basement waterproofed. We also added 7 new additional support poles and a 14' steel beam to support the upper walls of the house which had been severely compromised over the years. We replaced the glass block windows that were broken or missing in the basement. During the carpentry work and after the basement was waterproofed we began to smell sewer gas and still noted water on the basement floor in several places. We had the sewer line checked and ended up having to "sleeve" the old sewer line from the back of the house to the alley. The basement smelled much better but the floor was still wet!

We contacted the Water Department to test the basement water for chlorine or leaks in the outside line. There was no chlorine found and no leaks detected which indicated it was ground water seeping through the basement floor. To deal with this the group voted to have the inside of the basement waterproofed and add a sump pump. That work begins in early January. Now bringing this house up to code represents almost 80% of our original \$150,000 budget.

Several line items in red have not been bid but are estimated based on past work on the Third Street and Maple Street houses. These items in red do not have enough inside work completed to bid the flooring, countertops, and window and door trim, etc. We anticipate these costs may increase 15%-20% beyond the amounts estimated. We are actively working on drywall bids at this time.

WCA began this project with \$178,000 in our bank account. The bids we have currently leave those funds short so we have raised our budget in order to continue to complete the work needed to make this house livable.

MOTION: Motion by Loya, second by Wms. - Whereas Wyandotte Community Alliance is short \$22,000 in our revised \$200,000 budget we are requesting \$28,000 in contingency for a TOTAL REQUEST OF \$50,000/from TIFA funds to be repaid from the sale of this property.

Vote was unanimous. November 5, 2014

This leaves us room for those additional yet unknown costs indicative to this 100+ year old house (outside water line concerns, more surprise structural and floor problems, a lengthy time before a sale is final, etc.)

Wyandotte Community Alliance respectfully hopes Mayor and Council will acknowledge our reputation, our work, and our dedication to the neighborhoods in our City since 1984 and work with us to turn the house at 313 Superior into a HOME.

Sincerely,
Joe Darany, Chairman WCA

November 12, 2014
The Honorable Joseph R. Peterson & City Council
3200 Biddle Avenue, Suite 300 Wyandotte, Michigan 48192

Dear Mayor and Council:

I am writing you to inform you on some of the recent happenings at the Downriver Council for the Arts, which is located in the James R DeSana Center for Arts and Culture at 81 Chestnut.

Our mission

To enrich the quality of life in the downriver communities by advocating and promoting the arts and providing opportunities for involvement and participation in arts and cultural activities.

About the DCA

Founded in 1978, the Downriver Council for the Arts (DCA) is a non-profit 501(c)(3) organization that proudly serves over 350,000 residents in 21 downriver communities. We actively support local artists and performers through artistic outreach programs and special promotional opportunities. The DCA also creates regional partnerships with other cultural organizations, schools and service clubs to promote artistic, cultural and special events throughout Southeast Michigan.

What the DCA offers

Lectures, workshops, classes and youth art camps, gallery exhibits, theater productions, literary events, music concerts and classes, gift gallery, facility rentals and volunteer opportunities.

We have also enclosed some of our marketing pieces that we are using at the Downriver Council for the arts. These are the pieces that we use to advertise the programs and events at the building. Our "Mark your calendars" is a piece that we will continue to produce. It gives the community a snapshot of what is coming up in the months at the Downriver Council for the Arts.

I thank you for your continued support of the James R. DeSana Center for Arts and Culture. If you have any questions, please feel free to contact me.

Sincerely, Tammy Trudelle, Executive Director, Downriver Council for the Arts

PERSONS IN THE AUDIENCE

Tom Pillar, 2397 23rd, regarding analog cable system. Election results on cable following election night?

Don Icenogle, 1302 13th, regarding downriver police basketball fundraiser 11-22-14. Looking for business support.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

November 11, 2014
Mayor and City Council City of Wyandotte
3200 Biddle Avenue Wyandotte, MI 48192

Dear Honorable Mayor and City Council Members:

SUBJECT: TRAFFIC CONTROL ORDER 2014-04

After review, the Traffic Bureau and Inspector Pouliot recommend the installation of "Handicap Parking Signs" at 1610 16th St., Wyandotte, MI 48192. This request met all the qualifications set forth by the Commission; therefore, in concurrence with Inspector Pouliot, this letter serves as a recommendation for Council support of Traffic Control Order 2014-03 as specified on said order.

If there are any additional questions, please feel free to contact my office at extension 4424.

Sincerely, Daniel J. Grant Chief of Police

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 17th, 2014 AGENDA ITEM #6

ITEM: Eight Yack Arena Rental Contracts — Lions Club Flea Market, North American Model Engineering Expo (NAMES), Annual Walk for MS, Southgate Anderson High School Graduation, Woodhaven High School Graduation, Wyandotte Roosevelt High School Graduation, Circus Pages, and the Downriver Health Fair

PRESENTER: Justin N. Lanagan, Superintendent of Recreation

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: These eight rentals are annual rentals of the Yack Arena during the Spring/Summer once the ice and hockey boards come down. The NAMES Expo features steam and gasoline powered model engines and various vendors relating to model engineering. The Walk for MS is a special event to raise money for Multiple Sclerosis. The Yack Arena serves as the registration and hospitality, as well as the start and finish for their 5k walk through the city. The Roosevelt and Southgate Anderson High School Graduations will be the commencements for the Class of 2015. Woodhaven High School reserves the building as an emergency back-up site in case of inclement weather for their commencements (they try to host theirs outside). The Downriver Health Fair puts on free health screenings, healthy cooking demonstrations, offers tips to healthier lifestyles, etc. The Lions Club Flea Market is a large indoor garage sale. Circus Pages is a national traveling circus featuring live animals and other circus acts. Due to the cumulative size of all the contracts, a copy of each has been emailed to councilgwyandotte.org and the hard copies are available in the Clerk's office. A blank contract, hold harmless agreement, and listing of arena rental costs are attached.

STRATEGIC PLAN/GOALS: To provide the finest services and quality of life.

ACTION REQUESTED: Adopt a resolution concurring with the Superintendent of Recreation's recommendation to have the Mayor and City Clerk sign the attached contract for the various upcoming events.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 101-000-654-610-020. Last year, these rentals generated over \$23,000.00 in revenue in building, table/chair, and pipe and drape rental fees.

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to the Mayor and City Clerk to sign.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: Approved by Legal Affairs

MAYOR'S RECOMMENDATION: jrp

LIST OF ATTACHMENTS:

A blank copy of a Yack Arena Rental Contract
A blank copy of a Yack Arena Hold Harmless Agreement
Current listing of Arena rental costs

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 17th, 2014 AGENDA ITEM #7

ITEM: City Council Referral — Vinewood Village Condominium Association

PRESENTER: Mayor Joseph Peterson; Todd A. Drysdale, City Administrator; Mark Kowalewski, City Engineer and William Look, City Attorney

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: The Vinewood Village Condominium Association has presented the attached request to the City for payment. MSHDA met on November 12, 2014, and failed to come to a decision on this request. The City did have vacant units within the Condominium Association and these vacant units were not paying association fees during the time period the units were vacant. This contributed to not having adequate funds within the Association to operate. From April 2013, thru November 2014, the vacant City units would have paid \$6,250 if these vacant units were occupied. Recommend paying \$6,250 to the Association provided the attached release is signed by all fourteen (14) owners.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Pay \$6,250 to the Vinewood Village Condominium Association for Association fees during the period of which City owned units and were vacant.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: General Fund Balance derived from NSP2 Administration Funds.

IMPLEMENTATION PLAN: Obtain fourteen (14) owner releases, then pay \$6,250 to Vinewood Village Condominium Association.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

Vinewood Village request of \$10,010.00

General Release

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 17th, 2014 AGENDA ITEM #8

ITEM: Sale of City Owned Property

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: On October 4, 2013, the City closed with Joseph Daly on the exchange of the properties at former 1051 Walnut, former 204 Walnut and 30 feet of vacant land adjacent to 2319 9th Street. The contract for Exchange of Real Estate required Mr. Daly to submit plans for the construction of single family homes at former 1051 Walnut and 204 Walnut for City review and approval. City Council approved the home at former 204 Walnut on May 12, 2014, and construction has started. Therefore, attached for your review is the elevation for the construction of a one (1) story single family home at former 1051 Walnut. The features of the home are approximately 1,995 square feet, 3 bedrooms, exterior to be brick, attached garage and full basement. This home exceeds the requirements in the Contract for Exchange of Real Estate. Construction will start in Spring 2015.

STRATEGIC PLAN/GOALS: We are committed to enhancing the community's quality of life by: 1. Fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas. 2. 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. 3. Fostering the maintenance and development of stable and vibrant neighborhoods.

ACTION REQUESTED: Approve elevation for the home at former 1051 Walnut

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Mr. Daly to secure permit for the construction of a new single family dwelling at former 1051 Walnut.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: jrp

LIST OF ATTACHMENTS: Elevations for the proposed home

REPORTS AND MINUTES

Daily Cash Receipts	November 12, 2014
Police Commission Meeting	November 6, 2014
Fire Commission Meeting	October 14, 2014

CITIZENS PARTICIPATION

None

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Fricke, Sabuda, Schultz, Stec

Absent: Councilpersons Galeski, Miciura

RESOLUTIONS

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

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 Donald Schultz
 Supported by Councilperson Leonard Sabuda
 ROLL ATTACHED

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that WHEREAS, the people of the City of Wyandotte have great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces; AND WHEREAS, the veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the good of all; AND WHEREAS, the contributions and sacrifices of the men and women from the City of Wyandotte who served in the Armed Forces have been vital in maintaining the freedom and way of life enjoyed by our citizens; and WHEREAS, many men and women in uniform have given their lives while serving in the Armed Forces; and WHEREAS, the City of Wyandotte has a large, highly decorated veteran population including many Purple Heart recipients; and WHEREAS, the citizens of our community who have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council do hereby proclaim the City of Wyandotte as a "PURPLE HEART CITY", honoring the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec, Mayor Peterson

NAYS: None

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that the communication from Andrew Przytula relative to the Legal Opinion on the 13th Pension check is hereby received and placed on file. AND BE IT FURTHER RESOLVED that said legal opinion as rendered by Steven H. Schwartz be read into the record by the City Clerk as requested by Mr. Przytula.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

ROLL ATTACHED

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that the communication from the St. Patrick's Youth Group requesting to utilize the city-owned parking lot located at the corner of First Street and Chestnut for a fundraiser consisting of parking cars for spectators of the Christmas Parade, November 22, 2014 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council GRANTS permission provided a Hold Harmless Agreement is executed as prepared by the Department of Legal Affairs; AND FURTHER that said resolution be forwarded to the Police and Department of Public Service for coordination of same.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that the communication from the Wyandotte Community Alliance requesting a loan of \$50,000 is hereby referred to the City Administrator and City Attorney to provide a contract for said loan to the Wyandotte Community Alliance for the rehab of 313 Superior; with the stipulation that said fund to be reimbursed after the sale of the home.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that the communication from Tammy Trudelle, Executive Director, Downriver Council for the Arts relative to the recent events that took place at the James R. DeSana Center for the Arts and Culture at 81 Chestnut is hereby received and placed on file. AND FURTHER the Mayor and Council encourage all citizens to take part in various activities held at the Center.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

ROLL ATTACHED

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that Council CONCURS in the Traffic Control Order 2014-04 as set forth by the Chief of Police and hereby APPROVES the installation of "Handicap Parking Signs" in front of 1610-16th street, Wyandotte. AND FURTHER directs the Department of Public Service to install same.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that Council CONCURS with the recommendation of the Superintendent of Recreation and hereby APPROVES the following Benjamin F. Yaek Arena rental contracts: Lions Club Flea Market; North American Model Engineering Expo; Walk for MS; Southgate Anderson Graduation; Woodhaven Graduation; Roosevelt High School Graduation; Circus Pages; and the Downriver Health Fair events in the amount of \$1,300.00 per day including all associated rental costs payable in full upon completion of the event as stipulated in the Contracts, events to be held April 11 and 12, 2015; April 17-19, 2015; May 16, 2015; June 3, 2015 June 9, 2015 June 11, 2015; June 13, 2015 and July 25, 2015. AND BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor and City Clerk to sign said rental agreement.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that the request of the Vinewood Village Condominium Association is approved in the amount of \$6,250 from General Fund Balance derived from NSP2 Administration Funds provided all fourteen (14) owners sign the general release form prepared by the City Attorney. AND BE IT FURTHER RESOLVED that the Mayor and City Council now consider this matter finalized.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that the communication from the City Engineer regarding the sale of the property at former 1051 Walnut is hereby received and placed on file; AND BE IT FURTHER RESOLVED that the Council APPROVES the elevations for the construction of the single family home at former 1051 Walnut as presented to Council.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan November 17, 2014

RESOLUTION by Councilperson Donald Schultz

RESOLVED by the City Council that the total bills and accounts in the amount of \$553,826.65 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

YEAS: Councilmembers Fricke, Sabuda, Schultz, Stec

NAYS: None

ADJOURNMENT

MOTION by Councilperson Donald Schultz

Supported by Councilperson Leonard Sabuda

That we adjourn.

Carried unanimously

Adjourned at 8:33 PM

November 17, 2014



William R. Griggs, City Clerk

User: ktrudell

Post Date from 11/18/2014 - 11/18/2014 Open Receipts

DB: Wyandotte

Receipt #

	Date	Cashier	Wkstn	Received Of Distribution	Amount
O	219698	11/18/2014	ktrudell F2	DOWNRIVER CENTRAL ANIMAL CONTROL	
SH			101-000-001-000	101-303-925-998 DCACA SHELTER REVENUE	646.00
AC			101-000-001-000	101-000-257-078 Reserve-Animal Care	50.00
					<u>696.00</u> CITY CASH
O	219702	11/18/2014	ktrudell F2	DOWNRIVER COMMUNITY CONFERENCE	
MZ			101-000-001-000	101-336-725-120 Overtime	420.00
					<u>420.00</u> CITY CHECK 103128
					420.00 CITY CHECK 103128
O	219705	11/18/2014	ktrudell F2	DOWNRIVER COMMUNITY CONFERENCE	
MZ			101-000-001-000	101-336-725-120 Overtime	280.00
					<u>280.00</u> CITY CHECK
					280.00 CITY CHECK
				Total of 3 Receipts	<u>1,396.00</u>

RECEIPT REGISTER FOR CITY OF WYANDOTTE

Post Date from 11/18/2014 - 11/18/2014 Open Receipts

Receipt #	Date	Cashier	Wkstn	Received Of Distribution	Amount
*** TOTAL OF CREDIT ACCOUNTS ***					
101-000-257-078				Reserve-Animal Care	50.00
101-303-925-998				DCACA SHELTER REVENUE	646.00
101-336-725-120				Overtime	700.00
TOTAL - ALL CREDIT ACCOUNT					1,396.00
*** TOTAL OF DEBIT ACCOUNTS ***					
101-000-001-000				Cash	1,396.00
TOTAL - ALL DEBIT ACCOUNTS					1,396.00
*** TOTAL BY FUND ***					
101				General Fund	1,396.00
TOTAL - ALL FUNDS:					1,396.00
*** TOTAL BY BANK ***					
				<u>Tender Code/Desc.</u>	
GEN				(CCA) CITY CASH	696.00
				(CCK) CITY CHECK	700.00
TOTAL:					1,396.00
TOTAL - ALL BANKS:					1,396.00
*** TOTAL OF ITEMS TENDERED ***					
				<u>Tender Code/Desc.</u>	
				(CCA) CITY CASH	696.00
				(CCK) CITY CHECK	700.00
TOTAL:					1,396.00
*** TOTAL BY RECEIPT ITEMS ***					
(1)				AC: RESERVE-ANIMAL CARE/POUND	50.00
(2)				MZ: MISC CASH/VARIOUS	700.00
(1)				SH: DCACA SHELTER REVENUE	646.00
TOTAL - ALL RECEIPT ITEMS:					1,396.00

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF November 10, 2014
Plumbing Board**

A meeting of the Plumbing Board of the City of Wyandotte was **called to order** by Chairperson Langdeau at **8:55 a.m.**, in the Engineering Department Meeting Room.

MEMBERS PRESENT: Langdeau
Quint
Rankine
Sarnacki
Schartz

MEMBERS ABSENT: none

ALSO PRESENT: Peggy Green, Acting Secretary

A motion was made by Member Quint, supported by Schartz to approve the minutes of the July 19, 2010 meeting, as recorded.

Yes: Langdeau, Quint, Sarnacki, Schartz

No: none

Abstain: Rankine

Absent: none

Motion passed

111114-DENIED

Westley Napier (Appellant & Owner)
533 Poplar
Wyandotte, MI 48192

For a variance to not provide a janitorial sink at 537 Eureka (see file for legal description), where the proposed conflicts with:

In accordance with Table 403.1, of the Michigan Plumbing Code 2009 does not comply with the requirements as follows:

Table 403.1:

Requires one service sink for a mercantile use.

Owner is requesting an exception from installing a service sink when a hair sink in being used.

Reason: Owner will install sink that complies.

A motion was made by Member Rankine, supported by Member Sarnacki to deny this appeal.

Yes: Langdeau, Quint, Rankine, Sarnacki, Schartz
No: none
Abstain: none
Absent: none
Motion passed

COMMUNICATIONS:

None

OTHER BUSINESS:

None

There being no further business to discuss, the meeting adjourned at 9:40 a.m.

Peggy Green, Acting Secretary

Appeal #111114

Chairperson Langdeau read the appeal.

Chairperson Langdeau explained that Mr. Napier is asking for a variance to not provide a janitorial sink, the Health Department didn't approve, and not sure if this is ok with the State. He does not know what the State would approve. Chairperson Langdeau suggested to Mr. Napier that he install a deeper sink able to handle 5 gallons of water. Chairperson Langdeau added that Mr. Napier has been issued a ticket several times for this violation. Mr. Napier stated that he has received 4 tickets. Chairperson Langdeau stated that he would have to talk to the Health Department to see what is approved.

Member Sarnacki asked Mr. Napier if he installed the sink. Mr. Napier replied that he has installed 2 sinks and took them out. The bathroom is not handicap accessible, and he has received 4 tickets. Mr. Napier continued that the sink now functions and has a hair drain, it works for him, he would like for the members to see it personally how it works.

Member Sarnacki asked Mr. Napier if he did renovations. Mr. Napier replied yes, \$15,000 worth of renovations. Member Sarnacki asked about architect drawings before he obtained the permits. Member Sarnacki continued that typically you need drawings for a permit.

Member Rankine asked Mr. Napier if he had received a letter indicating that the sink has not been approved. Mr. Napier replied no. Member Rankine reviewed the sketch of the drawing that was presented by Old Fashion Plumbing. Mr. Napier added that there was a sink in the bathroom, then he took it out. Member Sarnacki asked if he obtained the inspection then took the sink out. Mr. Napier replied yes. Member Sarnacki stated that a janitorial sink and a sink are required. Mr. Napier stated that if a janitorial sink is installed in the bathroom, it will not be handicap accessible. He had installed a sink for the city inspection, not the barber inspection, he

took it out, and figured that he would work it out with the inspectors. Mr. Napier added that he wants to do what is right.

Member Rankine asked if originally there was a janitorial sink in the bathroom. Mr. Napier replied yes. Member Sarnacki commented that with 2 sinks, it would not be ADA approved.

Mr. Napier asked if the sink was required in all businesses. Member Rankine replied yes, depending on the use. Mr. Napier stated that there was not one there before, previous owner did not require a public rest room.

There was discussion as to when a sink was required.

Mr. Napier commented that he does high end haircuts and he does pull the business in.

Member Rankine asked if there was a combination unit sink available.

Member Langdeau stated that there are deep kitchen sinks, almost servicing as a laundry sink, and they look good.

Mr. Napier commented that he only does hair washing maybe a couple of times a week. Usually, the men do not want their hair washed. Mr. Napier continued that he pushes cleanliness, and he will be the only one using the mop sink.

Member Schartz commented that the sink needs to carry volume.

Mr. Napier commented that he does not understand laws where the local government could not make a change.

Member Sarnacki stated that he has been through the ADA process for the handicapped, and it is very hard to get an approval.

Member Langdeau suggested that Mr. Napier asked Claude Marcoux, Building Inspector, what is acceptable.

Member Rankine commented that Mr. Napier can work on the court dates and figure it out. Mr. Napier stated that he was thinking about getting an attorney. Member Sarnacki stated that Mr. Marcoux is just doing his job, and he has to enforce the codes.

Mr. Napier explained that originally he got a ticket, he made a court date that was six months down the road, then in the mean time, he has received 4 more tickets.

Member Rankine asked Mr. Napier if he made Mr. Marcoux aware that he had made a court date. Mr. Napier replied that he does not know if Mr. Marcoux knew or not, he figured that both sides would know. Mr. Napier added that he came to see Mr. Marcoux twice, and feels that he should have been informed.

Member Rankine commented that she feels that Mr. Napier should have informed Mr. Marcoux of the court date. Mr. Napier stated that he was told tickets would be issued until the matter was taken care of. Member Rankine stated that the Board cannot over ride the codes, he will need a mop sink.

Mr. Napier commented that he will not pay the tickets if he has to put more money in the building. Member Rankine asked the court date. Mr. Napier replied November 17. Member Rankine suggested that Mr. Napier

find a picture of the sink that he wants to install, with a date that the sink will be installed by, and that he is aware that what he did was not correct, and this might help the Judge in making a decision on paying the tickets.

Member Quint informed Mr. Napier that the City of Wyandotte does want his business, and Mr. Marcoux is a very intelligent inspector.

Member Langdeau commented that you should always check with a city to see how they want it done in there city before doing work and suggested that the ask Mr. Marcoux what would comply. Member Langdeau added that a licensed plumber will have to install the sink. Mr. Napier commented that he feels that he is being played for the last year. Member Rankine informed Mr. Napier that the City of Wyandotte does want his business in the city, and she hears people talking all the time about how good the business is.

Member Sarnacki commented that he feels that the Board should either grant or deny the appeal. Mr. Napier should speak with an architect, engineering or a plumbing to help him.

Member Sarnacki commented that Mr. Marcoux should be informed what is going on.

Mr. Napier stated that he has seen mini wash tubs at IKEA and Home Depot that are about a foot deep that might work. Mr. Napier stated that if the problem was this easy to fix, why was he not told of this, he is 25 years old and trying to work and run a business.

Member Quint suggested that Mr. Napier get a picture of the sink he would like to install.

Member Rankine stated that he should take the picture to court, with a diagram, and tell the Judge when he will have the work completed.

Member Langdeau suggested that Mr. Napier also check with Mr. Marcoux to make sure that the sink he is going to have installed is ok before he purchases it.

Mr. Napier stated that he feels that he has been manipulated.

**PLUMBING BOARD OF APPEALS
Wyandotte, Michigan**

RESOLUTION

Wyandotte, Michigan November 11, 2014

RESOLUTION BY MEMBER QUINT

RESOLVED BY THE PLUMBING BOARD OF APPEALS OF THE CITY OF
WYANDOTTE,

That APPEAL NO. #111114 by Westley Napier (Appellant and Owner)

To APPROVE X DENY appeal for a variance to Section 403.1 Approval of 2009
Michigan Plumbing Code at 537 Eureka, Wyandotte, Michigan.

I move the adoption of the foregoing resolution.

Member: QUINT

Supported by Member: SCHARTZ

Yeas ---- Members ---- Nays

X Langdeau
X Quint
X Rankine
X Sarnacki
X Schartz

O1- 75
November 12, 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, November 12, 2014 at 5:00 P.M.

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

General Manager
& Secretary -Rod Lesko

Also Present -Paul LaManes
Steve Timcoe
Valerie Hall
Cable TV Volunteer

APPROVAL OF MINUTES

MOTION by Commissioner Cole and seconded by Commissioner Hughes to approve the October 29, 2014 regular session meeting minutes of the Municipal Service Commission.

Commissioner Sadowski asked that the roll be called.

YEAS: Commissioner Alderman, Cole, Hughes, Sadowski
NAYS: None

HEARING OF PUBLIC CONCERNS

None

RESOLUTION 11-2014-01

Steve Timcoe, Superintendent of CATV, giving overview on extended Scripps Networks programming royalty agreement.

MOTION by Commissioner Cole and seconded by Commissioner Alderman to authorize the General Manager to execute the programming royalty agreement extension with Scripps Networks, LLC as negotiated by the NCTC for the period of 10/01/2014-09/30/2020 with annual royalty rate adjustments as recommended by WMS Management.

Commissioner Sadowski asked that the roll be called.

YEAS: Commissioner Alderman, Cole, Hughes, Sadowski

NAYS: None

REPORTS/COMMUNICATIONS: None

APPROVAL OF VOUCHERS

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

#5251	\$ (3,671.78)
#5252	\$ 627,119.88

Commissioner Sadowski asked that the roll be called.

YEAS: Commissioner Alderman, Cole, Hughes, Sadowski

NAYS: None

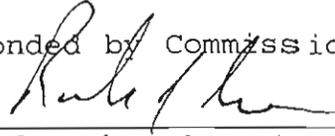
Late Items

Rod Lesko, General Manager, the last day for the TV Rebates will be November 21, 2014.

01 - 77

November 12, 2014

MOTION by Commissioner Cole and seconded by Commissioner Hughes to adjourn. 5:06 p.m.



Rod Lesko, Secretary

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF November 5, 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: Kelly Roberts, Secretary

A motion was made by Member Olsen, supported by Member Flachsmann to approve the minutes of the October 1, 2014, as recorded.

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

No: none

Abstain: none

Absent: DiSanto, Wienclaw

Motion passed

#3191 -APPROVED

Steve Samoranski, Affinity Group Credit Union, 26256 Ryan Road, Warren, MI (appellant) and Affinity Group Credit Union, 144 E. Pike St., Pontiac, MI (owner) has appealed to the Zoning Board of Appeals and Adjustment of the City of Wyandotte for a variance **to obtain a concrete permit for a driveway at 1030 – 15th Street** (N 13' of Lot 55, also Lot 56, J.J. Perren's Sub.), in a RA zoning district, where the proposed conflicts with Section 2402 of the Wyandotte Zoning Ordinance.

SECTION 2402:

A conforming driveway must be a minimum 8' wide and extend 20' beyond the front of the dwelling into the sideyard. The existing width of the sideyard at a point 13' from the front of the dwelling is less than 8'. The driveway and street approach must be removed, and a full height curb constructed, or a variance for nonconforming off street parking must be granted by the Zoning Board of Appeals.

Proposed driveway will not hinder or discourage use or development of adjacent land or buildings, and does not impair the intent of the ordinance.

A motion was made by Member Flachsmann, supported by Member Olsen to approve this appeal.

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

No: none

Abstain: none

Absent: DiSanto, Wienclaw

Motion passed

#3192 -APPROVED

Richard Gering, 1694 Progress, Lincoln Park, MI (appellant) and Edward Galloway, 1694 Progress, Lincoln Park, MI (owner) has appealed to the Zoning Board of Appeals and Adjustment of the City of Wyandotte for a variance to obtain a building permit for a garage addition at 4460 – 17th Street (Lot 31, Wesley A. Richards Sub.), in a RA zoning district, where the proposed conflicts with Sections 2100 and 2402.D of the Wyandotte Zoning Ordinance.

SECTION 2100 states that the maximum allowable lot coverage equals 35% of the total lot.

The proposed 18’x20’ garage addition exceeds the 35% maximum allowable lot coverage square footage by 312 square feet.

SECTION 2402.D states that the maximum allowable rear lot coverage equals 40% of the total rear lot.

The proposed 18’x20’ garage addition exceeds the 40% maximum allowable rear yard lot coverage by 120 square feet.

Proposed garage addition will not hinder or discourage use or development of adjacent land or buildings, and does not impair the intent of the ordinance.

A motion was made by Member Olsen, supported by Member Trupiano to approve this appeal.

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

No: none

Abstain: none

Absent: DiSanto, Wienclaw

Motion passed

#3193 -DENIED

David & Martha Beaudrie, 3800 – 9th Street, Wyandotte (owner & appellant) has appealed to the Zoning Board of Appeals and Adjustment of the City of Wyandotte for a variance to obtain Certificate of Occupancy for a front yard fence at 3800 – 9th Street (N 70’ of Lots 15 to 19, Inc., Garfield Place Sub.) RA zoning district, where the proposed conflicts with Section 2406.A.1 of the Wyandotte Zoning Ordinance.

SECTION 2406.A.1:

Which states, in part, “No residential or nonresidential fence or wall shall be erected in a required front yard, except that on lots with a sideyard adjacent to an alley or a street, a decorative or ornamental fence shall be allowed.” The proposed fence extends into the required front yard along an interior side property line.

Proposed front yard fence does not conform to the characteristics of the neighborhood.

A motion was made by Member Olsen, supported by Member Trupiano to deny this appeal.

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

COMMUNICATIONS:

Motion was made by Member Olsen, supported by Member Trupiano to place all communications on file.
Motion carried.

OTHER BUSINESS:

Motion was made by Member Olsen, supported by Member Flachsmann, to approve 2015 Schedule. Motion carried.

There being no further business to discuss, the meeting adjourned at 6:55 p.m. **The next scheduled meeting of the Board will be held on December 3, 2014.**

Peggy Green, Secretary

Appeal #3191

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

Gary Leach, Senior Vice President representing Affinity Group Credit Union.

Mr. Leach indicated that the Credit Union foreclosed on the property about two (2) years ago and it was in very poor condition. The Credit Union put about \$24,000 in upgrading the property and now wants to put the property on the market for sale.

Mr. Leach passed out pictures of the inside of the property. Mr. Leach indicated that they remodeled the entire property and now the driveway needs to be taken care of.

Member Gillon asked if it is their plan to replace the driveway or repair it.

Mr. Leach indicated that he would like to leave the driveway like it is if possible.

Member Gillon indicated that he could either receive a variance for no off street parking or remove the driveway and street approach and replaced with a full curb.

Mr. Leach stated that he does not want to replace it just repair the cracks.

Member Olsen indicated that the driveway is in bad shape.

Mr. Leach indicated that it is not public property so he does not see why he could not just repair it.

Member Gillon indicated that either you get a variance for no parking or have to remove the driveway it is either or.

Member Flaschmann indicated to be conforming the driveway has to extend 20 feet past the front of the home, which this driveway does not do.

Member Gillon also commented that the driveway is not eight (8) wide which is also required.

Member Flaschmann indicated that if the appeal is not approved, the Credit Union would need to remove the approach and put in a full curb.

Mr. Leach asked if the variance is approved everything could stay?

Member Flaschmann indicated that yes, it could stay, but it still might need to be replaced that would be up to the Engineering Department.

Mr. Leach indicated that they just want to sell the property as soon as possible.

Mr. Glen Cassel, 1505 Goddard, Wyandotte,

Mr. Cassel indicated that he was concerned that the alley was going to be closed but after hearing what was proposed he is for this appeal. Mr. Cassel indicated that there is a lot of traffic in this area due to the school and he would be opposed to closing this alley.

Chairperson Duran indicated that they are just hearing the variance for the driveway at 1030 15th Street not the vacant of the alley.

No communication was received regarding this appeal.

Appeal #3192

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

Mr. Richard Gering, Owner, present.

Mr. Gering explained that he would like to put a 12 foot addition on to the existing garage. Mr. Gering indicated that he currently lives in Lincoln Park, but is moving into the home in Wyandotte to take care of his Father-In-Law. Mr. Gering stated at his current home in Lincoln Park he has a 2 car garage and the home in Wyandotte only has a one car garage.

Mr. Gering continued that he needs the extra space for storage only.

Mr. Gering stated that the ridge line is currently east and west and the line will go from north to south and the roof will drain towards the alley. Mr. Gering stated that when he has additional funds he plans to construct a new driveway.

Member Gillon asked if the garage door will stay a single car door.

Mr. Gering stated yes.

Member Szymczuk asked if the patio would be opened.

Mr. Gering stated yes, but he plans on extending the roof of the garage over the patio.

One (1) communication was received regarding this appeal.

Appeal #3193

Mr. and Mrs. Beaudrie, Owner present.

Mr. Beaudrie stated that they would like to extend a fence between the property lines. Mr. Beaudrie continued that the fence would be solid and the height will go from 6 feet down to 4 feet. The fence would be located on their property and not the property line.

Member Szymczuk asked if the fence would be solid.

Mr. Beaudrie stated yes.

Member Gillon asked why they wanted a 4 foot solid fence.

Mr. Beaudrie stated that they have lived in the property for 21 years and there is a lot of foot traffic and animals relieving themselves on their property and they are trying to stop that.

Member Gillon stated that in his opinion putting up this proposed fence won't have the effect you want.

Mr. Beaudrie stated that it will also beautify their home.

Mrs. Beaudrie indicated that Ralph Hope, the inspector from the Engineering Department, came out to see the fence and stated it was very nice, he took pictures of other fences and they have been allowed and this should be allowed.

Member Nevin stated that there is an ordinance that covers fences with a diagram. Member Nevin continued that a lot of money was spent and the contractor should know the regulations.

Mr. Beaudrie indicated that part of the fence is in compliance.

Chairperson Duran asked if the fence would be solid all the way down the property line.

Mr. Beaudrie stated yes.

Member Flaschmann stated that if the fence was only 4 feet and you could see through it, he might not object to it.

Mr. Beaudrie indicated that they would consider a decorative fence that is not solid.

Chairperson Duran stated that the Zoning Board can only approve what is before them and a solid fence is what was requested.

Member Olsen stated the this fence would not fit in with the neighborhood and it could result in a safe issue if allowed.

Member Flachsmann stated that there are traffic laws that stated 3 feet or less is only allowed in front yards so you can see traffic.

Mr. Beaudrie stated that the decorative fence on the corner was approved and if the Board would approve this request it would look the same on the interior lot line.

Chairperson Duran read a communication that was received from Mr. Darin into the minutes.

Mr. Beaudrie stated that they would consider changing the fence to a decorative fence that is not solid.

Chairperson Duran stated that they can only approve what is before them and a decorative fence that is not solid is not what was requested.

One (1) communication was received regarding this appeal

ZONING BOARD

11-5-14

PAGE 7 OF 8

#3192

RECEIVED
10-22-14

10/20/2014

This letter is in reference
to the neighbors want to add
an addition to their garage.

We don't care if that's what
they want.

We can't attend the hearing
we are not well and are on
a walker and cane.

Sincerely
The Hamiltons
4468-17th St

Zoning Board
11-5-14 PAGE 8 OF 8

Kelly Roberts

From: Julie Sadlowski <jsadlowski@wyan.org>
Sent: Wednesday, November 05, 2014 10:24 AM
To: 'Mark Kowalewski'; 'Kelly Roberts'
Subject: FW: Zoning Board Variance Appeal #3193

#3193

From: John Darin [mailto:ldarin@wyan.org]
Sent: Wednesday, November 05, 2014 10:18 AM
To: engineering3@wyan.org
Cc: Julie Sadlowski; John Darin
Subject: Zoning Board Variance Appeal #3193

Zoning Board of Appeals and Adjustment:

This communication is in regards to the Zoning Board of Appeals and Adjustment Variance Appeal #3193, to obtain a Certificate of Occupancy for an interior front yard fence at 3800 9th Street.

I have personally reviewed every corner house in the McKinley neighborhood to see if there is precedent for this request. I found a number of residences that have fencing which extends into the front yard along an interior side property line. What I discovered was that most residences that have side lot line fences that encroach into the front yard are old legacy homes constructed before the zoning ordinances were put into place. In fact, many of these older homes have very short setbacks from the front yard sidewalk (~5 -10 feet), which was common during that immigrant period. I could only locate two homes in the area that were of newer construction that have interior front yard fences - 626 Pine Street and 501 Plum Street. These fences were installed quite some time ago (1990's). I am not aware of any other instances of interior side lot line front yard fences installed recently. So, I do not consider any of these examples to be precedent-setting, because they are either very old legacy homes, or variances which were granted 15+ years ago, and which do not represent modern neighborhood design or thinking.

I have also been made aware that the neighbors in the new construction at 3812 9th Street, directly adjacent on the South side to the property in question, oppose the proposed interior front yard fence. I have also been made aware that the neighbors at 900 Forest Street, also adjacent to the property in question to the South across the alley, are also opposed to the proposed interior front yard fence. The other residences occupying the remaining corners at Orchard and 9th are either rental unit or are vacant properties, and are not relevant to this review.

I have had the opportunity to review this issue with the property owners at 3800 9th Street. Their major concern is with solicitors walking across their front lawn. Because I live in the immediate vicinity, I can attest to the fact that solicitors in our neighborhood are relatively infrequent, postal carriers are typically very respectfully of staying on the sidewalks, and newspaper carriers generally toss the paper from the service walk onto the front porch.

Personally, I believe that an interior front yard fence at 3800 9th Street will be detrimental to the neighborhood. It will not promote good relationships between the existing property owners at 3800 9th Street, and their new neighbors to the south, who are moving into a new construction, a house of their dreams, only to find that a 4 foot white vinyl fence is being proposed which will forever block their unobstructed view of a very beautiful neighborhood. The interior front yard fence prohibition was put into place for a reason, namely to provide a visual integrity and continuity to the city's neighborhoods, and to help move the McKinley neighborhood forward from the legacy days when it was a transient rental community. I believe it is a good ordinance, and serves a useful purpose. Approving this fence variance will only provide a setback to the McKinley neighborhood.

In the absence of any compelling public health or safety issues, I oppose granting a variance to permit construction of this proposed interior front yard fence. I am respectfully requesting that the Zoning Board of Appeals and Adjustment deny the Variance Appeal #3193, and deny the property owners the COO for an interior front yard fence at 3800 9th Street. Thank you very much for your consideration.

John Darin

851 Orchard Street
Wyandotte, MI 48192

Zoning Board of Appeals and Adjustment 2015 Schedule

Deadline		Meeting at 6:30 p.m.	
December 26, 2014		February	4
January	23	March	4
February	27	April	1
March	27	May	6
April	24	June	3
May	29	July	15
June	26	August	5
July	24	September	2
August	28	October	7
September	25	November	4
October	23	December	2
November	27	January	6, 2016

Meetings of the Zoning Board of Appeals and Adjustment are held in the Council Chambers of the City Hall, 3200 Biddle, Avenue, Wyandotte, Michigan

CITY OF WYANDOTTE
BEAUTIFICATION COMMISSION MEETING MINUTES, APPROVED
OCTOBER 8, 2014

Members Present: John Darin, Chairman, Kenneth Bearden, Michael Bozymowski, Andrea Fuller, Noel Galeski, Bill Summerell, Alice Ugljesa

Members Excused: Lisa Lesage, Linda Orta, Stephanie Pizzo

Guests: John Saymn, Wyandotte Jaycees

1. Call to Order: The meeting was called to order by John at 6:05 pm.
2. Introduction of New Commission Member Kenneth Bearden: John introduced and welcomed Kenneth Bearden to the Beautification Commission. He was appointed on September 15, 2014, replacing former commissioner Denise Donlon, and his term expires April, 2016. Mr. Bearden provided a brief bio for the commissioners.
3. Guest Presentation: John Saymn, Wyandotte Jaycees, was an invited guest. He presented a project proposal to the Commission, proposing to construct a butterfly and pollinator garden on the premises of Bacon Memorial Library. It would measure 10' x 20', 200 sq. ft. There was much discussion regarding type of plantings, funding, maintenance, location on the library grounds, etc. This idea received enthusiastic initial support from the commissioners. Alice made a motion, seconded by Mike, to express the Commission's initial interest in this project and approval for follow-up if the project is feasible. The motion was approved. There was brief discussion regarding extending this butterfly and pollinator garden planting concept to the city welcome signs. Mr. Saymn's idea is to be considered by the Library Board of Directors for formal approval. He will follow-up with the Commission as this idea progresses. Andrea will be his formal contact on the Commission.
4. Reading and Approval of Previous Minutes:
 - a. September 10, 2014 Regular Meeting: After discussion, there were recommended changes made to the language of item 2.a., item 5.b., and item 6. for purposes of clarification. Motion was made by Noel, seconded by Alice, to approve the draft minutes of the September 10, 2014 regular meeting of the Beautification Commission as revised. The revised draft minutes were approved unanimously. John will re-type the minutes to conform to the Commission's standard Meeting Minutes Template format prior to submission to the City Clerk.
5. Approval of Agenda: Motion was made by Mike, seconded by Ken, to approve this meeting's agenda as submitted. The agenda was approved unanimously.
6. Chairperson's Report:
 - a. Documents: John distributed an updated Attendance Log and Contact List for review.
 - b. Nomination of Potential Commission Appointees: John reported that recent conversations with the Mayor's office have resulted in a request from the Mayor that the Beautification Commission offer its recommendation(s) regarding potential Commission appointees. The recommendations would be offered to the Mayor's Office after review and consideration by the Commission of each candidate expressing an interest in the position. The commissioners all welcomed this additional engagement in the appointment process, and will comply with this request going forward.
7. Treasurer's Report: Mike was commended for producing these excellent project reports, and to attending to the details to make these reports highly accurate.
 - a. FY 2013-2014 Year-End Expense Report: Mike distributed the Year-End Expense Report. Balance remaining at fiscal year-end was \$413.06. Mike noted that not all commissioners are requesting reimbursement for out-of-pocket expenses, which would result in a lower ending balance. It was the consensus of the Commission that development of an approved Budget Plan for FY 2014-2015 needs to be placed on the agenda for the November meeting. We will refer to the existing approved Budget Plan as a template for next year's expenses. John will confirm new fiscal year budget recommendations with Natalie. He did not receive a 2014 Funding Request Application, but will reference the 2013 application going forward.

- b. BCSEM Quarterly Meeting Final Expense Report: Mike distributed the Final Expense Report for the BCSEM meeting that the Commission hosted. A total of \$745.50 in revenue was deposited in the Reserve Account, and was applied to the total of \$1,653.24 in expenses. The Commission paid the remaining expenses not covered by the Reserve Account, totaling \$907.74.
 - c. Vietnam Veterans Memorial Landscaping Expense Report: Mike distributed his Final Expense Report for the Vietnam Veterans Memorial Landscape project. Total project expenses were \$5,253.12, which includes \$1478.12 for plants and landscape materials and supplies, and \$3775.00 for an installed sprinkler system.
8. Public and Media Communications: Andrea reported that she is in the process of gathering and posting photos from the Fall Dig-In and Beautification Award recipients on the Commission web site and on our Facebook page.
 9. Community Garden Update:
 - a. Upcoming Work Days: It was noted that a Work Day has been scheduled for Saturday, October 18. In addition, the community garden will be closing on Saturday, November 8. All commissioners are encouraged to attend both events.
 - b. Community Garden Coordinator Appointment: John reported that Ken has expressed a strong interest in assuming the duties of the Community Garden Coordinator, including the Work Force Coordinator responsibilities. John recommended that the Commission appoint Ken Bearden as Community Garden Coordinator, effective immediately. Noel made the motion, seconded by Mike. The motion was approved unanimously.
 10. Beautification Council of Southeastern Michigan (BCSEM) Quarterly Meeting Update: John thanked the Commissioners for their support and efforts in making this event, which we hosted on September 17th by invitation, a highly successful quarterly regional meeting for the BCSEM. All attendees had very positive comments about all aspects of the event, and the entire event placed the City of Wyandotte in a very favorable light. A special thanks was extended to Andrea for her splendid work in producing the meeting invitation and program.
 11. Beautification Awards Presentation Update: Alice reviewed the Beautification Awards presentations from this past October 6th City Council meeting. Each award recipient received a framed Certificate of Appreciation, a static cling Award sticker, and a commemorative lawn sign depicting the work of a local artist. Alice was congratulated on another successful Beautification Awards campaign, with 15 residences and businesses being recognized for their outstanding beautification efforts!

There were 12 Residences receiving Beautification Awards:

1637 22nd Street
360 Ford Avenue
3738 9th Street
213 Walnut Street
338 Goddard Street
155 Poplar Street
254 Walnut Street
204 Antoine Street
216 Oak Street
634 Vinewood Street
219 Superior Avenue
2095 23rd Street

There were 3 Businesses receiving Beautification Awards:

Bishop Co-Op Apartments, 265 Superior Avenue
Katherine Chambers, 2955 Biddle Avenue
Gregorio's Italian Restaurant, 2356 Biddle Avenue

12. Vietnam Veterans Memorial Landscape Project: John reported that Linda informed him that she, Alice, and Lisa are planning to plant 300 bulbs over the next two weeks on the memorial site, per Phase 3 plans. This will conclude the Beautification Commission's work on this commissioned project. The entire Commission is to be congratulated on a very fine first-ever commissioned landscape project. We are all very appreciative for this opportunity, and trust that the Vietnam Veterans Committee is also pleased with the results. The Committee is encouraged to continue to engage with the Beautification Commission during the Spring Dig-In for re-planting of the service ribbon annual flowers. The Committee is also aware of the need to develop an internal process for ensuring on-going routine maintenance of the area.
13. Fall Dig-In Update: Winter-hardy mums were planted throughout downtown Wyandotte on September 20th, and will look very beautiful when in full bloom. This was a scaled-down but very successful event this year. All who attended were much appreciated.
14. Winter Hanging Baskets Update:
 - a. Hanging Baskets: Alice reported that the winter hanging baskets will be delivered and installed by Eckert's Greenhouses by November 21.
 - b. Free-Standing Planters: Alice distributed pictures of the proposed free-standing hanging basket planter assembly. Each assembly costs \$669.75. We will need evidence in writing of Engineering Department permission for installation of these free-standing planters and approved locations. John will contact Natalie to obtain written permission.
15. Old Business:
 - a. City Property Grounds Maintenance: There was much discussion regarding the poor maintenance of city property through the city. It was the consensus of the commissioners that our concerns need to be effectively communicated to the appropriate city authority for response and follow-up. It is very important to present a well-manicured and attractive city to attract new business owners and residents to our community. John agreed to draft a letter for Commission review at our next meeting.
16. New Business: There was no New Business.
17. Round-Table Reports and Announcements:
 - a. Keep Michigan Beautiful Annual Conference & Awards Program, October 22-23, 2014, Park Place Hotel, Traverse City, MI. John distributed invitations to all.
 - b. Beautification Council of Southeastern Michigan, Winter Quarterly Meeting, Thursday, December 2, 2014, DeCarlo's Banquet Center, Warren, MI. John distributed invitations to all.
 - c. World Cup of Gardening, Belle Isle, June 16-21, 2015. This should be a very exciting horticultural competition.
18. Next Meeting: The next regular meeting of the Beautification Commission is scheduled for Wednesday, November 12, 2014 at 6:00 pm – 8:00 pm in City Hall, Mayor's Conference Room, Third Floor, 3200 Biddle Avenue.
19. Adjournment: The meeting was adjourned at 8:05 pm.

Respectfully Submitted,

John Darin
Chairman,
Wyandotte Beautification Commission

CITY OF WYANDOTTE
BEAUTIFICATION COMMISSION MEETING MINUTES, DRAFT
NOVEMBER 12, 2014

Members Present: John Darin, Chairman, Kenneth Bearden, Michael Bozymowski, Andrea Fuller, Noel Galeski, Lisa Lesage, Linda Orta

Members Excused: Stephanie Pizzo, Bill Summerell, Alice Ugljesa

Guests: None

1. Call to Order: The meeting was called to order by John at 6:05 pm.
2. Reading and Approval of Previous Minutes:
 - a. October 8, 2014 Regular Meeting: After review of the minutes, motion was made by Noel, seconded by Linda, to approve the draft minutes of the October 8, 2014 regular meeting of the Beautification Commission as written. The motion was approved.
3. Approval of Agenda: Motion was made by Noel, seconded by Andrea, to approve this meeting's agenda as submitted. The agenda was approved unanimously.
4. Chairperson's Report:
 - a. Documents: John distributed an updated Attendance Log for review.
 - b. Annual Report: John reported on the Beautification Commission's successful activities and projects in 2014, namely:
 - Inaugural Spring Clean-Up in the DDA
 - Beautifully-decorated summer and winter hanging baskets and planter pots
 - Successful Spring and Fall Dig-Ins in the DDA
 - Vietnam Veteran's Memorial Landscape project initiated and completed on schedule and on budget, with the addition of an underground sprinkler system
 - Successful hosting of the Fall Quarterly meeting of the Beautification Council of Southeastern Michigan at the Wyandotte Boat Club

In addition, John reviewed the following proposed special projects for Commission action in 2015, in addition to the Commission's regular special events, namely:

- Collaborate on the design and planting of a butterfly garden at the Bacon Memorial Library or other suitable site (if approved and separately-funded)
- Adopt-A-Spot Program rollout
- Refresh and re-plant all city Welcome Signs
- Work with DPS to set-up an appropriate grounds maintenance schedule for the Community Garden, and to replenish mulch as necessary in the Commission plantings in the DDA and elsewhere
- Facilitate the Vietnam Veteran's Memorial landscape service ribbon re-planting by the Vietnam Veteran's Committee, in conjunction with the Spring Dig-In

5. Treasurer's Report:
 - a. FY 2014-2015 Expense Report: Mike distributed the current fiscal year Expense Report. Expenses total \$19.95 to date, with an account balance of \$5,980.05. John confirmed with Natalie Rankine that the DDA has approved a Beautification Commission FY 2014-2015 operating budget of \$6000.00.
6. Public and Media Communications: Andrea reported that she has posted notice to community gardeners to clear their garden beds for the winter. There were no other significant communications to report.
7. Community Garden Update:
 - a. Ken noted that the community garden has been official closed for the season. There are still gardeners remaining who need to be reminded to clear their garden beds or risk having their applications for 2015 dis-approved. Arrangements have been made with the District Court Work Force to clear all remaining beds on December 6th. Ken will also contact WMS to turn off the community garden water supply. It was noted by John that the water supply shut-off valve is located in the basement of an adjacent business, Teezer's.

8. Vietnam Veterans Memorial Landscape Project: Linda reported that the bulbs have been planted at the Vietnam Veteran's Memorial. This project has been officially completed. Congratulations and thanks were extended to all Commissioners for their efforts!

9. Winter Hanging Baskets and Planter Pots Update:

- a. Hanging Baskets: Alice reported by email that the hanging baskets will be installed by Eckert's Greenhouses by November 21st. It was noted that the 2 baskets closest to the clock tower appear to be poorly-watered, and there may be an issue with the irrigation system there. Alice noted by previous email that Natalie has authorized the order of one free-standing hanging basket set-up.
- b. Planter Pots: Andrea will contact Alice and Natalie to have the 5 pots with soil by old city hall stored by DPS. Noel and Andrea will purchase winter decorations and greenery for the pot at Nanna's Kitchen, the pot at the Teardrop planting, and for the 6 planter cubes at the old city hall. It was also noted that Natalie has arranged for DPS to install large (3') Christmas bulbs in the large terra cotta pots at the new city hall until it is time to store the pots.

10. Review for Approval of Proposed 2015 Commission Regular Meeting Dates and Special Event Dates:

- a. 2015 Regular Meeting Dates: John distributed proposed 2015 Commission Regular Meeting dates for Commission review and approval. All meetings will be held on the second Wednesday of the month, except for the July meeting, which will be held on the third Wednesday of July to avoid Art Fair traffic. There will be no meeting in December. After discussion, there was a motion by Mike, seconded by Linda, to approve the schedule of Regular Meetings. The motion was approved unanimously. The 2015 regular meeting dates are as follows. All meetings will be held at City Hall, Mayor's Conference Room, Third Floor, 3200 Biddle Avenue, at 6:00 – 8:00 pm on the second Wednesday of each month, except as noted below (*)

January 14, 2015
 February 11, 2015
 March 11, 2015
 April 8, 2015
 May 13, 2015
 June 10, 2015
 July 15, 2015 *
 August 12, 2015
 September 9, 2015
 October 14, 2015
 November 11, 2015
 December, 2015 - No Meeting

- b. 2015 Special Event Dates: John distributed proposed 2015 Commission Special Event Dates for Commission review and approval. The timing of the events was patterned after 2014 events. Commissioners were reminded that all dates are flexible, depending upon weather and other circumstances. After discussion, there was a motion by Linda, seconded by Andrea, to approve the schedule of Special Events. The motion was approved unanimously. The 2015 special event dates are as follows.

EVENT	SCHEDULED DATE	RAIN DATE
City-Wide Landscape Clean-Up	April 11, 2015	TBD
Community Garden Opening	April 18, 2015	TBD
Community Garden Work Day	May 9, 2015	TBD
Spring Dig-In	May 16, 2015	TBD
Community Garden Work Day	June 20, 2015	TBD
Community Garden Work Day	July 18, 2015	TBD
Community Garden Work Day	August 15, 2015	TBD
Community Garden Work Day	September 12, 2015	TBD
Fall Dig-In	September 19, 2015	TBD
Community Garden Work Day	October 17, 2015	TBD
Community Garden Closing	November 14, 2015	TBD

11. Election of 2015 Commission Officers and Coordinators:

- a. Election Results: After discussion, it was the consensus of the Commission that the monthly Community Garden Coordinator roles be abandoned for 2015. Various commissioners volunteered to assume responsibility for vacant roles. There was a motion by Mike, seconded by Linda, to approve the final slate of 2015 Officers and Coordinators. The motion was approved unanimously. The 2015 Commission Officers and Coordinators are:

Chairperson:	John Darin
Corresponding Secretary:	Andrea Fuller
Recording Secretary:	John Darin
Treasurer:	Michael Bozymowski
Beautification Awards Coordinator:	Alice Ugljesa
Community Garden & District Court Work Force Coordinator:	Ken Bearden
Dig-In Coordinator, Spring:	Noel Galeski
Dig-In Coordinator, Fall:	Lisa Lesage
Hanging Basket Coordinator:	Alice Ugljesa
Landscape Planting Coordinator:	Linda Orta
Public Relations & Social Media Coordinator:	Andrea Fuller
Spring Clean-Up Coordinator:	Noel Galeski
Volunteer Coordinator:	Lisa Lesage

12. Old Business: There was no Old Business.

13. New Business:

- a. Winterizing Boxwoods in the DDA: John reported that he contacted Natalie to inquire as to the level of interest in winterizing the boxwoods in the DDA, due to the high kill rate last winter. Natalie will check with DPS, and will advise.

14. Round-Table Reports and Announcements:

- a. Beautification Council of Southeastern Michigan, Winter Quarterly Meeting, Thursday, December 2, 2014, DeCarlo's Banquet Center, Warren, MI. John distributed invitations to all.

15. Next Meeting: The next regular meeting of the Beautification Commission is scheduled for Wednesday, January 14, 2015 at 6:00 pm – 8:00 pm in City Hall, Mayor's Conference Room, Third Floor, 3200 Biddle Avenue.

16. Adjournment: The meeting was adjourned at 7:55 pm.

Respectfully Submitted,

John Darin
Chairman,
Wyandotte Beautification Commission