

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

ROLL CALL

PRESENT: Councilpersons Fricke, Miciura, Sabuda, Schultz

ABSENT: Councilperson Galeski

COMMUNICATIONS MISCELLANEOUS

August 5, 2015

To Mayor Peterson and the Wyandotte City Council,

After the action taken at last Monday night's Council meeting, I still have some concerns regarding the outdoor café issue(s) and Ord. 2200-Special Land Uses.

1. This new plan for Captain's Bar is very similar to the plan they requested when they first came before the Planning Commission and the Mayor and City Council a couple years ago. Why was the first plan denied and what happened to change your decision to now approve this very similar new plan?

2. Captain's has not been totally in compliance since opening about two years ago. Many feel the bar is being "rewarded" for this by having this new design approved. If they were not in compliance, and are not currently in compliance since this new design came up over 3 months ago, they have in fact been doing business in violation of the Ord. in one form or another since they opened. What guarantee is there that they will all of a sudden be in compliance because they've been allowed to move a few pieces of fencing around? It is very difficult to defend any new design when the old ones do not comply with the Ord.

3. If the Dotte were to agree to move their outdoor café up against the front of their building the entrance to their inside bar would be blocked by the fencing required around an outdoor café. The ord. states that "the entrance to an outdoor cafe is required to be from the inside of the building not thru a gate outside the building (if in fact they ever put up the gate they still do not have, - but was required). If that outdoor café was to close at midnight it would still actually be open until 2 am when the inside bar closes if it is the only way in and out of the bar. I believe any new design for an outdoor café serving liquor has to be submitted to the Liquor Commission as well as comply with the ord. Please not those other outdoor cafes that will now want to take advantage of this new outdoor café design may also have their only entrances blocked by the fencing required and be in violation of the Ord.

4. Regarding Captain's and their occupancy numbers: If the back outdoor café can hold a maximum of 70 people and the front outdoor café can hold a maximum of 30 people and both outdoor cafes close at midnight, where will the 100 people from the 2 outside cafes drink without being in violation of exceeding the number maximum for the inside bar? Good luck to any outdoor café turning away those who are drinking at midnight because their patronage may now over-populate their inside bars. How and who will monitor the number?

5. If you decide to further make a change and allow Captain's and other outdoor cafes to be open until 2 am for those 30 days a year, this gives patron an extra two hours to inflict bar attributes (noise, smoking, parking issues, etc.) on the surrounding neighborhoods including potential new residents of new condos, lofts, and apartments you are strongly encouraging in the downtown area. How would you justify the loss of possible new residents moving in or the loss of current residents moving out against the cost of being "Business Friendly" until 2 am?

6. I assume the amount of insurance required by the City for an outdoor café is enough insurance to cover being open until midnight but does that insurance increase when and if the outdoor café is open until 2 am and who would be responsible for monitoring that issue?

7. My last question is based on this example: Many of the current outdoor cafes in Wyandotte did not remove their fencing during the winter and Captain's even put up an outdoor heater in their front outdoor café. Would Mayor and Council approve and

add to the Ord. an inspection process prior to opening and closing of all outdoor cafes on a yearly basis and agree to remove Belicoso's name from the Ord. substituting detailed descriptions of furnishings, fencing, ages, etc. as requirements of the Ord.?

I thank you for your attention to my concerns as they are not just my concerns but also the concerns of many residents who have talked to me regarding this outdoor café issue in the past few months. We look forward to your answers to these questions.

Sincerely,
Corki Benson
404 Vinewood, Wyandotte, Mi

PERSONS IN THE AUDIENCE

Corki Benson, 404 Vinewood, asked to read her communication to Mayor and Council regarding Captain's, 126 Oak (see above)

Teri & Jim Skolozinski, 219 Superior - noticed blue marks on lawn, they have a split line with 225 Superior, does not want Water Dept. doing things to their property without their knowledge. Mayor's Office to coordinate meeting with Municipal Services and Mayor.

Jan Murphy, 233 Elm against extended outdoor café hours.

NEW BUSINESS (ELECTED OFFICIALS)

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

July 27, 2015

AGENDA ITEM #2

Dear Honorable Mayor and City Council Members:

SUBJECT: Traffic Control Order #2015-03

After review, the Traffic Bureau and Officer Zalewski recommend the installation of "Handicap Parking Signs" in front of 2306 8th St., Wyandotte, MI 48192. This request met all the qualifications set forth by the Commission; therefore, in concurrence with Officer Zalewski, this letter serves as a recommendation for Council support of Traffic Control Order 2015-03 as specified on said order.

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

Sincerely,
Daniel J. Grant
Chief of Police

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #3

ITEM: Hiring - Probation Officer (27th District Court)

PRESENTER: Todd A. Drysdale, City Administrator

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: A clerical employee of the 27th District Court retired earlier this fiscal year. Based on a review of the City's current resources, organizational structure, and staffing expectations, the filling of a full-time probation officer was identified as a greater need for the Court in order to provide effective services. As such, Randy L. Kalmbach, 27th District Court Chief Judge, has recommended the hiring of Julissa Gutierrez for this position. Previously, the probation department was staffed by the Probation Director and additional part-time probation officers.

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

ACTION REQUESTED: The 27th District Court Chief Judge recommends approval of the hiring.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Projected savings of approximately \$29,000 based on the difference in salary between the former clerical employee and part-time wages and the newly created full-time position.

IMPLEMENTATION PLAN: The City's Administrative Office will coordinate the hiring.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: 1. Letter dated July 24, 2015 – Randy L. Kalmbach
2. Resume & Letter of Interest – Julissa Gutierrez
3. Application for Employment

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #4

ITEMS: Pifer Inc. Golf Cart Lease Extension

PRESENTER: Justin N. Lanagan, Superintendent of Recreation

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: Currently, Wyandotte Shores leases our fleet of 38 golf carts and one beverage cart from Pifer Inc. of Holly, MI. We currently pay \$24,699.96 per golf season. In our lease, we receive weekly maintenance visits, where Pifer's certified mechanic makes any necessary repairs to any carts that are in need of repair.

Recently, the Recreation Commission asked myself to look into other golf cart providers to see if there was a better deal. I contacted three separate golf cart dealers in Michigan. Golf Cars Plus of Mt. Clemens didn't respond to several voicemails and an email that I left, Michigan Golf Cart of Warren said that our fleet request was too large and they couldn't handle us (but they referred us to Michigan Tournament Fleet of Commerce Township), and Michigan Tournament Fleet came in with a quote of over \$41,000 for 38 carts and a beverage cart.

After relaying this information to the Recreation Commission, they agreed that we should stay with Pifer Inc. At the end of this season, our lease agreement with Pifer Inc. will expire. I have spoke with Scott Pifer and he is interested in signing a four year lease extension through the 2019 season at the current rate of \$24,699.96 per year.
STRATEGIC PLAN/GOALS: To continue to provide the finest services while being financially responsible

.ACTION REQUESTED: Adopt a resolution concurring with the Superintendent of Recreation's recommendation to have the Mayor and City Clerk sign the Golf Cart Lease Extension with Pifer Inc.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Lease payments will continue to be paid from Account #525-750-825-550

IMPLEMENTATION PLAN:

COMMISSION RECOMMENDATION: At the regular scheduled Commission meeting on June 16th, 2015 the Recreation Commission discussed and agreed to sign a lease extension with Pifer Inc.

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: Contract was forwarded to Bill Look

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Contract with Pifer Inc.

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #5

ITEMS: Special Event Budget Amendments

PRESENTER: Heather A. Thiede, Special Event Coordinator

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

BACKGROUND: As you are aware, The Special Event Office is currently organizing the 2015 City of Wyandotte Special Events. This year, Leo Stevenson and Merrill Lynch have finically supported the events with a donation of \$7000. Please see the below breakdown for the donations.

<u>Amount</u>	<u>Event</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$2,000	Music in the Park	285-000-655-039	285-225-925-812
\$3,000	WSAF	285-000-655-010	285-225-925-860
\$700	Christmas Parade	285-000-655-029	285-225-925-825
\$1,000	4 th of July	285-000-655-031	285-225-925-826
\$300	Fishing Derby	285-000-655-039	285-225-925-814

I am requesting that a budget amendment be approved that acknowledges the receipt of this donation as revenue and the necessary expenditure accounts to be used for the 2015 event season.

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the

year. These events serve to purpose the goals of the City of Wyandotte by bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: Please forward approval for the above to the finance department.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

See above – revenues equal expenditures.

IMPLEMENTATION PLAN: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #6

ITEM: Special Event Office - 2015 Wyandotte Street Art Fair Financial Report

PRESENTER: Heather A. Thiede, Special Event Coordinator

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

BACKGROUND: Herewith, please find a financial report on the 2015 Wyandotte Street Art Fair compiled by the Special Event Coordinator. This is a detailed breakdown of the financial information from this year's fair as well as over the past eleven years. I submit this report for your collective review. Should you have any questions, please do not hesitate to contact me.

STRATEGIC PLAN/GOALS: In accordance with the strategic plan; quality of life.

ACTION REQUESTED: Adopt a resolution to receive and place on file.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Receive and place on file.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: 2015 WSAF Financial Report

CITIZEN PARTICIPTION

Dave Shalda, 725 Hudson is upset over the behavior of the City Council. He wants Council to get along.

HEARINGS:

SHOW CAUSE HEARING
OPPORTUNITY TO SHOW CAUSE
WHY THE FOUNDATION AT OAK AND 2ND STREETS
(S.W. CORNER) SHOULD NOT BE REMOVED
IN ACCORDANCE WITH THE CITY'S
PROPERTY MAINTENANCE ORDINANCES

Paul Zulewski presented construction drawings, explained status and funding investors.

Hold in abeyance for one week.

FINAL READING OF ORDINANCES:

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE XII – B-1 NEIGHBORHOOD BUSINESS DISTRICT, Section 1200 Principal Uses
Permitted,

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article XII – B-1 Neighborhood Business District, Section 1200 Principal Uses Permitted, Subsection E, F, and G shall be amended to read:

1200 Principal Uses Permitted

- E. Business schools, or private schools operated for profit. Examples of private schools permitted herein include, but are not limited to, the following: dance studios, music and voice schools, and art studios.
- F. Other uses which are similar to the above uses.
- G. Accessory structures and uses customarily incidental to the above permitted uses, provided such buildings and uses are located on the same zoning lot with a permitted uses.

Section 2. Severability.

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

Section 3. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE VIII – RM-2 TOWNHOUSE RESIDENTIAL DISTRICTS – Section 801 and Section
802

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article VIII – amending Section 801– Special Uses and adding Section 802 – Required Conditions shall read:

801. Special Uses

The following uses may permitted by the Planning Commission subject to conditions hereinafter imposed in Article XXII for each use and subject to the review and approval of a site plan and in accord with Section 2607 and after a public hearing in accord with Section 2608 by the Planning Commission.

- A. Uses permitted as special uses and as regulated in the RM-1A Districts.

802 – Required Conditions

The following conditions shall be required in all RM-2 Districts.

- A. All required conditions of the RM-1A District shall apply to the RM-2 District.

Section 2. Severability.

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

Section 3. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

REPORTS AND MINUTES

Downtown Development Authority
Police Commission

July 14 2015
July 28, 2015

RESOLUTIONS

By Councilperson Schultz, supported by Councilperson Van Boxell
RESOLVED by the City Council that Leonard Sabuda be appointed the MAYOR PRO TEMPORE for the remainder of the term.

Motion carried.

NAY: Councilperson Fricke

ABSTAIN: Councilperson Miciura

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED by the City Council that the reading of the minutes of the previous meeting be dispensed with and the same stand APPROVED as recorded without objection.
ROLL ATTACHED.

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED by the City Council that the communication from Corki Benson regarding Captain's, 126 Oak, is hereby received and placed on file with a copy of said communication forwarded to the Engineering Dept. and Planning Commission.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED by the City Council that Council CONCURS with the recommendation of the Chief of Police and Traffic Bureau as set forth in Traffic Control Order 2015-03 for the installation of "Handicap Parking Signs" in front of 2306 8th St., Wyandotte, MI. 48192. AND BE IT FURTHER RESOLVED that the Department of Public Service be directed to install same.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED BY THE CITY COUNCIL that Council acknowledges receipt of the communication from the City Administrator regarding the Full-Time Probation Officer position at the 27th District Court and CONCURS with the recommendation of the 27th District Court Chief Judge and hereby declares authorizes the filling of such vacancy and
FURTHER, RESOLVED BY THE CITY COUNCIL that the Council approves the hiring of Julissa Gutierrez as Probation Officer at Level 32A.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
Resolved by the City Council that Council hereby authorizes the Mayor and City Clerk to sign the four year contract extension with Pifer Inc. through the year 2019 in the amount of \$24,699.96 per year as submitted by the Superintendent of Recreation.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
Resolved by City Council to approve the request of the Special Event Coordinator to approve of the budget amendments for the 2015 Special Event year.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
BE IT RESOLVED by the City Council that Council receive and place on file the attached 2015 WSAF Financial Report. Per the recommendation of the Special Event Coordinator.

Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED by the City Council that a hearing was held on June 15, 2015 where all parties were given an opportunity to appear to have their attitude expressed in support of or in opposition of the removal of foundation structures at Oak Street and 2nd Street, Wyandotte, Michigan, or why said structure should not be demolished, removed or otherwise made safe; said hearing was held in abeyance for thirty (30) days; (July 20, 2015); three weeks (August 10, 2015) AND BE IT FURTHER RESOLVED, that said hearing be held in abeyance for one week (August 17, 2015).
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke

**AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING**

**ARTICLE XII – B-1 NEIGHBORHOOD BUSINESS DISTRICT, Section 1200 Principal
Uses Permitted,**

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article XII – B-1 Neighborhood Business District, Section 1200 Principal Uses Permitted, Subsection E, F, and G shall be amended to read:

1200 Principal Uses Permitted

- E. Business schools, or private schools operated for profit. Examples of private schools permitted herein include, but are not limited to, the following: dance studios, music and voice schools, and art studios.
- F. Other uses which are similar to the above uses.
- G. Accessory structures and uses customarily incidental to the above permitted uses, provided such buildings and uses are located on the same zoning lot with a permitted uses.

Section 2. Severability.

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

Section 3. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

Motion unanimously carried.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON, Mayor and LAWRENCE S. STEC, 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 10th day of August 2015.

JOSEPH R. PETERSON, Mayor

LAWRENCE S. STEC, City Clerk

By Councilperson Miciura, supported by Councilperson Fricke

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING

ARTICLE VIII – RM-2 TOWNHOUSE RESIDENTIAL DISTRICTS – Section 801 and
Section 802

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article VIII – amending Section 801– Special Uses and adding Section 802 – Required Conditions shall read:

801. Special Uses

The following uses may permitted by the Planning Commission subject to conditions hereinafter imposed in Article XXII for each use and subject to the review and approval of a site plan and in accord with Section 2607 and after a public hearing in accord with Section 2608 by the Planning Commission.

A. Uses permitted as special uses and as regulated in the RM-1A Districts.

802 – Required Conditions

The following conditions shall be required in all RM-2 Districts.

A. All required conditions of the RM-1A District shall apply to the RM-2 District.

Section 2. Severability.

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

Section 3. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

Motion unanimously carried.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON, Mayor and LAWRENCE S. STEC, 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 10th day of August 2015.

JOSEPH R. PETERSON, Mayor

LAWRENCE S. STEC, City Clerk

By Councilperson Miciura, supported by Councilperson Fricke

RESOLVED by the City Council that the total bills and accounts of \$693,564.05 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke

RESOLVED that the meeting be adjourned at 8:14 p.m.

Motion unanimously carried.

Lawrence S. Stec, City Clerk